

May 10, 1974 / Halting crime in the upstate / Lexington Watergate / 25¢

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SOUTH CAROLINA'S NEWSWEEKLY

OSCEOLA

23866

RULES AND REGULATIONS

Title 24—Housing and Urban Development
CHAPTER IX—OFFICE OF INTERSTATE
LAND SALES REGISTRATION,
DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT

[Docket No. R-73-228]

LAND REGISTRATION, FORMS,
RULES, AND ADVERTISING
PRACTICES, AND POSTING OF
NOTICES OF SUSPENSION

On May 4, 1973, the
Housing and Urban Development
published for public comment
revision of Chapter IX
of this chapter, amending
§ 1710, and 1720 were
§ 1730, Advertising, and
posting of Notices of
Suspension. Comments were
received in 1973, an informal
hearing was held in accordance
with the Federal Register
of 1973. This notice of
extension of the
receipt of comments
1973.

Careful
all comments
have been
as reflected
are discussed
paragraph

Section
and
be de
competent
regulations were

PART 1710

In § 1710.1, a definition
and the definition of
The definition of
demonstrates the nature
which is subject to the coverage
Interstate Land Sales Full Disclosure
(Act).

Considerable comment was received
with respect to the proposed definition of
lot. Especially, comments complained
that OILSR is seeking to regulate every-
thing from securities to country club
memberships. The OILSR policy on con-
dominium coverage is set forth herein.
The application of the Act to con-
dominiums has been consistent OILSR
policy since the issue was first raised
in 1969. The bases for this position are
that condominiums carry the indicia of
and in fact are real estate, whether or

completely horizontal developments and even
campgrounds. Congress recognized
exempt professional builders
provided an appropriate
§ 1702(3)). For a
exempted
only

is a technical change made to conform
with the new definition of lots

Section 1710.13(a) is amended
delete the 10,000 square foot minimum
necessary to qualify for this exemption.
This change is to exclude souvenir-
postage-stamp-type operations from the
registration requirements. These are
appropriately the subject of Post
Federal Trade Commission

which was pro
pending

to delete
and as

to provide
ing of
be includ
such filing
to be offer

amended to
has been filed with
be filed with the
within 10 days
relative under the act

This extension
of both OILSR
regarding delays
section is also amend
of a paragraph (a) (3)
that acceptable state
amendments must
by state certifications which
the Secretary.

§ 1710.35 is changed by adding
paragraph (h), which requires a \$1
the second and any subsequent
amendments unless waived
Secretary.

Section 1710.45(a) (3) is amended
a developer 15 days after receipt
suspension notice within which
must a hearing, instead of the present
days. Also, a new paragraph § 1710
(a) (4), is added to make clear that
suspension notices are effective until
deficiencies cited in the notices are cor-
rected. This paragraph has been changed
from the proposed for the
purpose of

Section 1710.102 is amended to require
a developer to submit supporting
documentation to the State
Department of Reservations, Restrictions,
Taxes and Assessments.

Section 1710.105 is amended in several
parts. The format is amended by adding
appropriate lines to conform with the in-
structions which will be discussed in detail.
This includes Part XV regarding

S.C. Developers

winking at the law

interest in the
or lease of an
covered. This too
OILSR policy.

Also, the language
square yard exception in the proposed
definition has been deleted in its final
form as being unwarranted in view of

osceola

"The mission of a modern newspaper is to comfort the afflicted and afflict the comfortable."

from a column by Peter Finley Dunn

Volume 2, Number 41

Editorial Board
Jon Buchan
Dick Harpootlian
John Norton
Jim Walser

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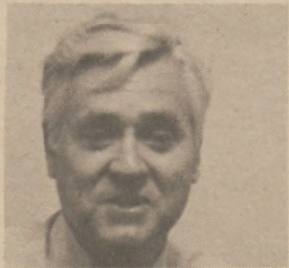
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TRB

from Washington

All Aboard

I sat in Seat 32 of the 9 a.m. Trailways bus pulling out from Washington Terminal for Atlantic City. A five hour trip. The sun is shining.

I could have taken my car, but would there be gas at the other end? Or I could have flown. But like a lot of others now (and this summer), I am experimenting.

The bus terminal isn't like the Los Angeles airport or the New York Grand Central with doomsday announcers shouting incomprehensible imperatives. It is small, crowded and folksy with people stepping over children, a bearded college boy and girl friend with shoulder packs, a lot of blacks, a lot of brown-paper bundles, a news stand, a popcorn machine, a cafeteria, a candy stand with orangeade endlessly circulating, restrooms downstairs. A great many unimportant and interesting people are circulating like the orangeade. Humdrum? Maybe. But wherever people arrive and depart there must be drama.

Getting this 14-ton monster out of Gate 8 is like getting the SS France out of a berth on Hudson River; it is 40 feet long and eight feet wide and diesel-powered, and we need to back and maneuver before we are out into I Street at 12th, past Dogget's Parking Lot, and traffic-borne. Now we are free.

There are a dozen on a bus that holds 46 and two more join us at the pick-up at Silver Spring: the big son hoists three valises aloft as Mom and Dad say goodbye, and wave to him through the pane. Off again at 9:33.

Yes, I travelled this road long ago in a Model T but today, instead of wondering if we'll make the next hill without going into low. I am reading the Washington Post and watching traffic on the Interstate.

Our driver knows nothing of harbor tunnels and aims us smack through the center of Baltimore, first the white marble steps and then the shopping center. A railroad would be in a tunnel, an airplane a mile overhead, but we are an obstruction right in the middle of downtown traffic, in reclining chairs complacently watching people bustle.

No, I can't read. It's spring outside; the city is behind us and from our vantage point we see greening hedges, boughs with little explosions of new leaves, flaming

azaleas- the wonderful feeling that for five long hours nobody can reach me by telephone.

The chair seat tilts back but doesn't snap up when you press a button. In the rear is a diminutive toilet. The bus is too hot. Well, we peel off coats.

At New Castle, Delaware, a rest stop: 20 minutes. Our driver slides us between 14 Greyhound and Trailway buses like a tile in a parquet floor. It is 12:05. Our driver, a benign type, tells us to note well our gate and bus numbers, and not to take the wrong one on return and start for Houston or Seattle. He will announce our departure once, he says.

Inside are two of the fastest cafeteria lanes on Spaceship Earth, I buy a cellophane-wrapped chicken salad sandwich whose ice cold components have blended into a larger union; a piece of pie (small), and a carton of milk. Price \$1.47. Astonishing. But who wonders at prices anymore?

A part of the American navy suddenly arrives and is in, fed, and out again, before you could pipe and Admiral aboard. So, here we, too, are back again in our own bus, rather homelike now with familiar packages aloft; we are rolling through the preliminary New Jersey pine barrens, and scrub oaks without a leaf out, and grapevines, and a pickle factory, and a few summer placeson Route 40.

The motion is quiet and hammocky and most go to sleep. It is boring in a soothing way. Five hours of it . . . and now finally, this is Atlantic City! Right on the dot. Two p.m.

The adventure begins again tomorrow morning on the test run home. Meanwhile, here is the Boardwalk and screaming gulls and stalls where they read palms; salt water taffy, the big pier with rattling racers and the cavernous convention halls where I saw them nominate Lyndon Johnson in 1968. Yes, and a lot of happy people gulping in fresh air, and an ocean.

"Are they tearing the hotel down?" I ask a cop in a prowler car in the middle of the board walk. It is a 10-story building, fairly modern, all the lower windows smashed, vacant lots around it. "Blowing her up on Monday or Tuesday," he says laconically.

"But it's not old! What's going on - is Atlantic City in trouble?"

"We're going to find out," he says enigmatically. "There's no trouble if we get gambling." He wants gambling. Up to the governor, he says. It is something to muse about that night.

Now it is departure time next morning for the return trip. I am in Seat 16. Time 9:30.

The game on the way back is to see how many filling stations are open. I could have come in my 1966 Ford Falcon, it gets about 15 miles to the gallon, and the trip is around 200 miles; at 60 cents a gallon that \$8 or so, one way. Or I could have flown, a two-hour flight including connections at Philadelphia; regular round trip fare, \$60.55. By bus it's \$19 round trip, tax extra. The plane would have saved a lot of time, of course. On the other hand, I couldn't have finished Arthur Schlesinger Jr. in the Atlantic. The bus today is as hot as yesterday, and this one is dirty and coke bottles roll about when the driver primly stops at every railroad track, no matter how rusty.

"Happy Motoring," says Exxon at Mispah - but no gas. "Shell: Four miles, check your gauge," but after four miles the three Shell pumps are all closed. It's an hour before I see an attendant wiping an authentic windshield.

In 1814 if you left Boston at 4 a.m. by stagecoach and changed horses every 10 miles you reached Hartford, 100 miles away, by 8 p.m. -- if the weather was good. Exciting compared to this. A humdrum trip; we roll along, a little faster on Sunday. We reach Washington at 2:08.

I grab my bag and step into the terminus. A bit tawdry perhaps. But wait a bit. Stagecoach, steamboat, railroad, Model T, airplane and bus; where passengers depart and arrive, sigh goodbye or shout hello, where people start on journeys and come home again--that is America and that is romance. I hear hostlers and drivers, horses shaking surcingle and the innkeeper welcoming passengers . . . or the train rumbling into the South Lee depot . . . or the loud speaker bawling that Plane 234 is now ready for departure at Gate 24.

The same orange drink is circulating on the candy counter as I start out to New York Avenue.

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Cheap Shots

Where the power lies...

Several weeks ago, Senator Dewey Wise of Charleston pleaded the case for his proposed ethics bill before a basically unsympathetic Senate Rules Committee. After a great deal of critical questioning, the committee agreed to establish a special subcommittee to study the matter. Last week, Sen. Wise decided he had waited long enough for action on the bill, and moved to have the bill recalled from the Rules Committee to the Senate floor.

The recall motion failed by a 20-14 vote on the Senate floor, a development which Wise said virtually ends any chance of ethics legislation being passed this session. The vote was particularly interesting since it comes at a time

when the General Assembly is beginning to consider raising its members' salaries from \$4,000 a year to \$7,000 a year. Many supporters of the pay raise have said they think a pay raise should be tied to some form of ethics legislation.

The vote denying the bill's recall divided much of the "old guard" of the Senate from some of the members who have begun to push for Senate reform. Voting against the recall motion were such Senate strong-men as Rembert Dennis, Ralph Gasque, Marion Gressette, James Harrelson, Hyman Rubin, James P. Stevens, Marshall Williams and Paul Moore. Voting to move the bill onto the Senate floor where individual members might have

had to take a public stand were such senators as: Bill Doar, Jim Edwards, Thomas Hartnett, Travis Medlock, Tom Smith, and Dewey Wise. Not voting at all were John

Drummond, John Lindsay, Isadore Lourie, Frank Roddey, Ed Saleeby, James Waddell, and Horace Smith.

One of the reasons many legislators have offered reporters

when explaining why none of the legislation aimed at stricter ethics requirements, or disclosure of campaign finances has made it out of committee is the dominance of such issues as auto insurance and reapportionment. Well, these fellows aren't working themselves all that hard — the Senate met for just two days in each of the past two weeks and handled little business on the third day this

week.

Despite all the attention the governor's race is getting in the media, there may just be some voters out there who realize where the power lies in this state. Some

of these legislators who are up for re-election in 1974 and 1976 may find that the voters have found out who's holding up fruitful legislation like Wise's ethics bill.

Judge for yourself...

Betsy Oakman, a director of the Columbia League of Women Voters, and Nancy Meriwether, a member of the Columbia league, distributed the above letter concerning the recent Columbia City Council race. Even though the letter restates the League's

traditional policy of non-partisanship, some recipients of the letter maintain that, considered as a whole, the letter implies endorsement of Finlay by the League. *Osceola* reproduces the letter below, so that you may decide for yourself.

March 29, 1974

Dear

We hope you will give very serious consideration to supporting Kirk Finlay for City Council in the forthcoming election on April 9th. Kirk has lived in Columbia all his life and has been a dedicated public servant in several capacities.

The League of Women Voters is always non-partisan and never supports a candidate for office, but encourages its members to be politically active.

The League has had a position in favor of a consolidated local government for the past six years. Kirk's efforts in behalf of the "Modern Government Now" campaign for consolidation two years ago is a good example of his progressive thinking and hard work for the improvement of our area.

We believe Kirk will provide the kind of leadership we need in Columbia now.

Sincerely,

Betsy Oakman

Mrs. Robert Oakman

Nancy C. Meriwether

Mrs. James Meriweather

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Awards, awards...

Last Saturday the South Carolina Wildlife Federation, Inc. held its annual conservation achievement awards program (cosponsored by Sears, Roebuck and Company) to "recognize outstanding contributions to conservation and wildlife protection in the state."

Perhaps one would assume that such awards would go to active conservation groups, but the Federation turned some heads when it gave its "Conservation

Organization of the Year" award to the Westinghouse Electric Corporation. Westinghouse has just announced plans to build a nuclear fuel recycling plant in Anderson County.

Similarly, the "Legislative Conservationist of the Year" award went to Senator Rembert Dennis. Senator Dennis, you'll remember, has spent a substantial amount of his conservation efforts extending the turkey in his home county. Senator Dennis has also

been an opponent of tidelands legislation which would help protect the state's coast from overdevelopment.

South Carolina Senator James Waddell was named "Land Conservationist of the Year" for, in the Wildlife Federation's words, "his efforts to pass comprehensive tidelands legislation." This might be a bit misleading. Waddell has been concerned with passing comprehensive ownership legislation which would give from counties such as Waddell's own Beaufort County clear title to lands now claimed by the state.

(Continued on page four)



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Beer

Bud on Tap	.40	.75
Michelob on Tap	.50	.75
Bottles and Cans	.50	1.00
Light and Dark Lowenbrau	1.00	1.25
Beer on Tap		.25
Mini-Bottle Discount		.25

Menu

Deluxe Charco Broiled Hamburger	1.10
Deluxe Charco Broiled Cheeseburger	1.20
Roast Beef	1.35
Ham	1.25
Ham and Cheese	1.35
Pastrami	1.75
Corned Beef	1.75
Hot Reuben	1.95

(Above served on Bun or Rye Bread with
Potato Salad, Kosher Dill Strip)

Grilled Cheese	.45
Bar-B-Q Sandwich w/Cole Slaw	1.10
Bar-B-Q Plate w/Rice, Hash & Cole Slaw	1.95
Regular Charcoal Broiled Hamburger	.70
Regular Charcoal Broiled Cheeseburger	.80
Regular Tossed Salad	.75
Special Chef's Salad	1.50
Vegetable Beef Soup	.75
Chili	.75
Potato Salad	.15
Cole Slaw	.15
Coffee, Soft Drinks, Milk	.25

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Inoperative (local media notes)

The *State* newspaper's poll released last Sunday didn't surprise too many of the political pros but some were saying that perhaps it wasn't up to par.

Chairman of the state Democratic Party Don Fowler said, "I don't think it's accurate to the extent they claimed."

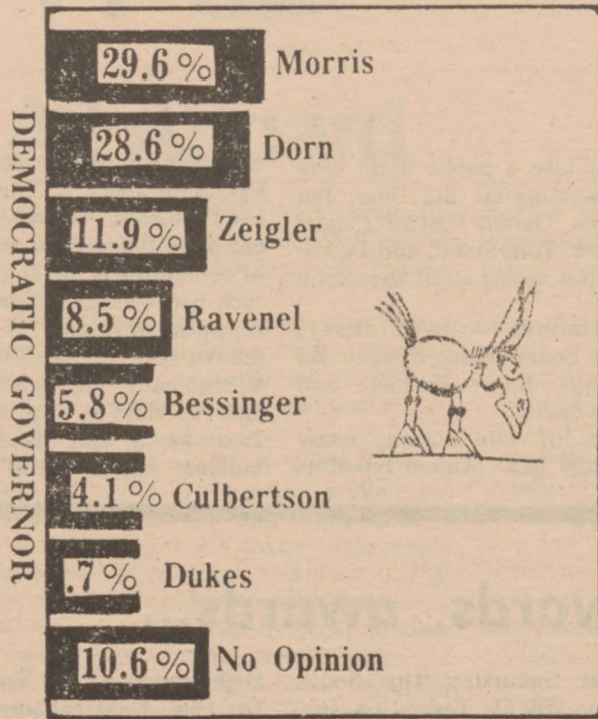
The *State* claimed a five percent error factor in their poll which showed Lt. Governor Earle E. Morris edging Congressman Bryan Dorn by one percent, garnering 29.65% of the Democratic primary vote. The poll also showed General William Westmoreland trouncing Dr. James Edwards by a 60.9% to 27.3% margin. In the Democratic primary the poll indicated that Eugene "Nick" Zeigler, Charles "Pug" Ravenel, Maurice Bessinger, John Bolt Culbertson, and Milton Dukes each would receive 11% or less of the vote in the election.

State assignments editor William Starr told *Osceola* that *State* reporters and bureau personnel interviewed 400 voters in 20 counties throughout the state. Precincts were scientifically selected with voters chosen by random sample, a system, Starr claims, he developed based on statistics from past elections and information from University of South Carolina personnel.

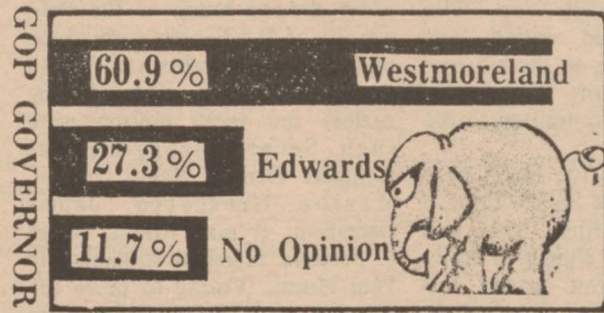
Starr said the five percent margin of error figure is in line with normal standards for a survey of 400 voters, but he said the actual error figure may be closer to 5.4% for the survey of 134 Republicans and 5.1% for the 269 voter Democratic sample.

"The survey was systematic," Starr said. With a non-systematic survey, he added, the error factor could have been as great as 8 or 9 percent.

"I don't think they can make the claim of a five percent error," Fowler said. "I do think it's reasonably accurate, but it's more of a seat of the pants feeling than anything



The State poll



else. The race for governor is terribly close."

In agreement with Fowler is Clemson University political scientist Dr. Walton Owens. Owens said the poll of voters identifying themselves as Republicans would have a maximum error factor of closer to 8 percent, while the Democratic poll would have approximately a 6 percent error factor.

The most important factor is randomness, Owens maintained. He said a proper random sample is one where the surveyor takes every "nth voter" in a scientifically determined precinct. When the selection of voters is not random then

the error factor increases Owens explained.

When asked what he meant by a random sample, Starr said only that the voters surveyed were "randomly selected."

Despite the tremendous emphasis the media has given polls in past elections both Starr and Owens think their actual impact on an election is not significant. Surveys "don't sway that many votes," Starr said. Owens agreed, "I don't think there is any evidence that a poll has an effect one way or the other. There are confidence levels for every poll and as long as you point out the error factor, I don't see any harm."

Starr said he hopes the *State* will be publishing polls every six weeks between

now and the fall election. "Each time we conduct the survey, we iron out a few more of the bugs," Starr explained.

Starr also said cost factors probably prevented the *State* from going to professional polling firm, but he was generally satisfied with the in-house product.

Other polls are in the offing, though. At least one candidate, Pug Ravenel, has commissioned his own poll to be done by a polling firm.

So while the *State's* poll isn't as accurate as perhaps it could have been, it's accuracy is good enough to let some of the candidates know that they've got a hard row to hoe before the primary.

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Cheap Shots

(Continued from page three)

Waddell has been less than an active supporter of tidelands protection legislation which would not enter into the ownership squabble, but rather would protect the tidelands, no matter who owns them.

Public service

What's the score? Every year when the new Federal Power

Commission utility reports are released the public gets a peek at who is leading in the total money winnings in the Public Service Company Sweepstakes. Below are listed state personages who received money from Carolina Power and Light, South Carolina Electric and Gas and/or Duke Power Company.

The leading money winner in the state senate is Chairman of the Senate Finance Committee Rembert Dennis with a grand total of \$51,100. He was paid \$14,100 by SCE&G for "legal services" and \$37,000 by Duke

Power (\$25,000 for "legal services" and \$12,000 for "retainer and rate cases.")

(Dennis and other legislators who are in the competition this year may be prevented from entering next year if legislation pending in the General Assembly presently passes. The legislation, which would prohibit legislators from practicing before commissions or agencies which they help elect. The bill floundered in the House Tuesday, though, when several legislators objected to considering it so it (Continued on page five)

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(Continued from page four)

went back to committee.)

The big money, however, seems to come after you have "served" your state. Former Governor Robert E. McNair's law firm received a total of \$119,618 for his services last year to all three utilities. But the year's

grand winner is the firm of former Democratic Party Chairman and present law professor Harry Lightsey, Jr. with \$128,040.

Condolences go to Senator Fritz Holling's firm which received a paltry \$600 from SCE&G. Better luck next year, Fritz.

Julius Baggett
(representative from McCormick County and House Majority Leader)

SCE&G (legal fees) \$1,200

H. Fay Bell
(representative from Chesterfield County)

Duke (legal fees) \$17,500

Blatt, Fales, and Peeples
(Barnwell law firm of former Speaker of the House and present representative Solomon Blatt)

SCE&G (legal fees) \$10,760

Edgar Brown
(former Senate Finance Chairman from Barnwell County)

Duke (legal fees) \$7,500

Rembert Dennis
(Chairman of Senate Finance Committee)

SCE&G (legal fees) \$14,100
Duke (legal fees) \$25,000
Duke (retainer) \$12,000
TOTAL \$51,100

Gressette and Gressette
(law firm of Marion Gressette, speaker pro tempore of the Senate)

SCE&G (legal fees) \$3,600

Clayton Grimes
(former senator from Georgetown County)

SCE&G (legal fees) \$2,400

James Harrelson
(senator from Colleton County)

SCE&G (legal fees) \$2,063

Brantley Harvey
(representative from Beaufort County and Democratic candidate for Lt. Governor)

SCE&G (legal fees) \$1,200

Hollings and Hawkins
(United States Senator Fritz Hollings' law firm)

SCE&G (legal fees) \$600

Lightsey, Berry, and Gibbs
(firm of Harry Lightsey, Jr., former chairman of the state Democratic Party and present USC law professor)

CP&L (retainer) \$25,000
CP&L (legal fees) \$6,689
SCE&G (legal fees) \$84,351
Duke (legal fees) \$12,000
TOTAL \$128,040

Lindsay and Crow
(Bennettsville law firm of Senator John Lindsay of Marlboro County)

CP&L (legal fees) \$21,000

John D. Long
(Senator from Union County)

SCE&G (legal fees) \$1,200

Marchant, Bristow, and Bates
(law firm of T. Eston Marchant, chairman of the USC Board of Trustees; State Senator Walter Bristow; and Columbia City attorney Roy Bates)

SCE&G (legal fees) \$14,055

John A. Martin
(Senator from Winnsboro)

SCE&G (legal fees) \$12,990

McNair, Konduras and Corley
(firm of former Governor Robert E. McNair)

SCE&G (legal fees) \$40,000
Duke (legal fees) \$25,000
Duke (retainer) \$12,011
CP&L (legal fees) \$42,607
TOTAL \$119,618

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You never know what you might do with valuable classified information. But starting in our May 27 edition, Osceola Classified Ads will give you a chance to find out. For starters, you might...

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3. Start a film club
4. Trade your 1960 Hank Aaron baseball cards
5. Organize a carpool
6. Find a backpacking or scuba-diving partner
7. Advertise your garage sale
8. Buy Impeach Nixon (or Fire Dan Rather) bumper stickers
9. Find a drummer for your new band
10. Sell your old law books
11. Buy a springer spaniel puppy
12. Start a sci-fi lending club
13. Find volunteers for your special "causes"
14. Rent a cabin for weekends in the mountains
15. Just let your friends know where you are and that you're thinking of them

Non-business classifieds are \$1.00 per week for up to 30 words and \$.50 per additional 15 words. Phone numbers, prices and numbers count as one word.

We'll run complete CLASSIFIED information and a classified form in next week's edition...

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221 Pickens Street

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Meals 12:00-3:00 p.m. and 6:00-8:30 p.m.

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There's Trouble In Paradise...

by John Norton and John Hughes Cooper

Down in Georgetown County, a few miles west of Brookgreen Gardens, the Pee Dee and Waccamaw rivers join with a maze of tidal creeks and rivers to define a 10,000-plus acre spot known as Sandy Island. Most of the island consists of fresh water marsh areas called "ricefields" because of the rice cultivated in these wet "fields" by early planters. Much of the highland area of the island is owned and inhabited by black families, descendants of the slaves and laborers who worked the rice plantations.

A coarse white sandy beach and mammoth 25-foot sand dunes mark the western boundary of Sandy Island and have been used for years by boaters and water skiers. Historically the only transportation between the island and the mainland has been provided by boat. Today, private access from all points is supplemented by a school ferry operating across Bull Creek at the northeastern end of the island.

In the late 19th century, the island consisted of many separate plantations. By 1935, however, most of the island was owned by Jesse Metcalf of Orange, New Jersey, whose huge tract consolidated the holdings of over a dozen rice plantations. Between 1935 and 1959, the Schoolfield family, furniture manufacturers from Mullins, purchased and controlled the 8,000-plus acres of Sandy Island in the Metcalf tract. In 1959, H.O. Schoolfield, Jr. sold this acreage to the Williams Furniture Corporation of Sumter, which retained ownership for five years. On July 24, 1964, the Williams Furniture Corporation sold the land for \$375,250 to an organization called Sandy Island Corporation.

Public records in the office of the South Carolina Secretary of State indicate that as of the filing of the articles of incorporation on June 23, 1964, the following individuals were directors of Sandy Island Corporation:

---Davis O. Henniford, Jr., farmer, businessman, and real estate developer from Loris;

---James P. Stevens, a Loris attorney and state Senator who now represents Florence, Horry, Marion and Williamsburg counties;

---Ralph Hoffman, a Conway attorney and Master-in-Equity of Horry County;

---J. Bryan Floyd, North Myrtle Beach businessman and present mayor of that town;

---Milton Clemmons, Green Sea farmer with extensive operations in Williamsburg and Horry counties;

---Tolar B. Johnson, Conway real estate developer and businessman;

---Thomas M. McLeod, who lists his address as c/o James P. Stevens.

In the most recent annual report of the corporation, filed in 1973 with the Secretary of State, the individuals named above remain the directors of the corporation. In addition, the records indicate that Milton Clemmons, J. Bryan Floyd, Thomas McLeod, James Stevens, and Wendel E. Jones of Myrtle Beach are stockholders.

Sandy Island Corporation (SIC) retained complete ownership of the 8,000-plus acres purchased from Williams Furniture Corporation until March 8, 1971, when a hundred-acre tract to be known as "Paradise

(See related box on page nine
for explanation of corporations)

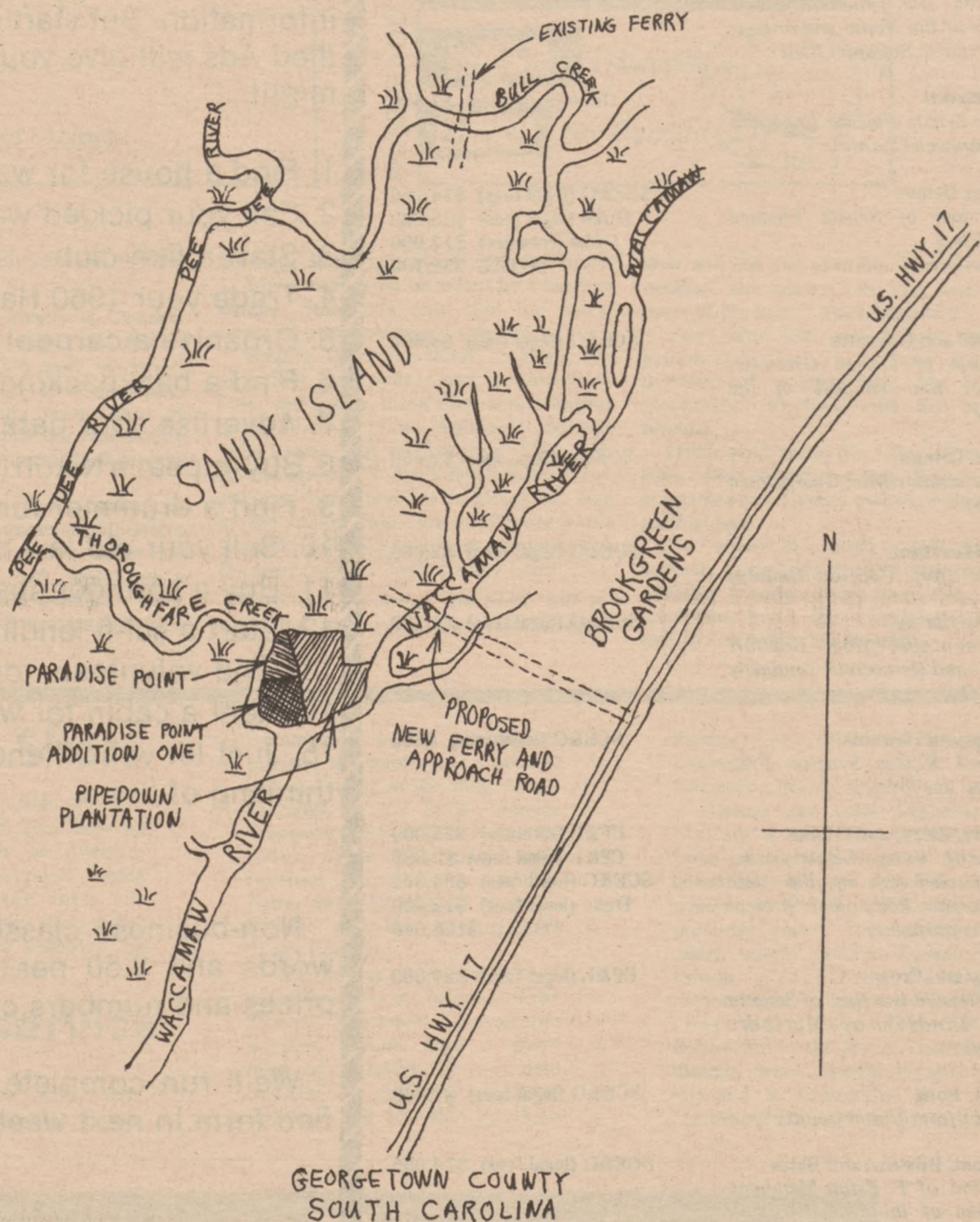
Point" was sold for \$25,000 to another corporation known as Sandy Island Development Corporation (SIDC). Documents filed with the Secretary of State's office show that Sandy Island Development Corporation (SIDC) was formed on September 30, 1970. The corporation's directors were listed as:

---Wendel E. Jones of Myrtle Beach, a real estate developer and a stockholder in SIC;

---J. Bryan Floyd, of North Myrtle Beach, a director and stockholder of SIC;

---Milton Clemmons of Green Sea, a director and stockholder of SIC.

A corporate annual report filed in 1973 shows that



The way to Paradise Point

At present, Sandy Island and Paradise Point are accessible only by boat. Elaborate road systems incorporated into the plat of Paradise Point subdivision beg the question: will automobile access to Paradise Point become a reality? During our visit to the Sloan Realty office, David Sloan told us that the developers had "dedicated" to Georgetown County the roads within the Paradise Point subdivision and the roads necessary for access to the Paradise Point subdivision. He said that Georgetown County had accepted the road and had agreed to provide ferry service to and from Sandy Island and to arrange for a paved road from

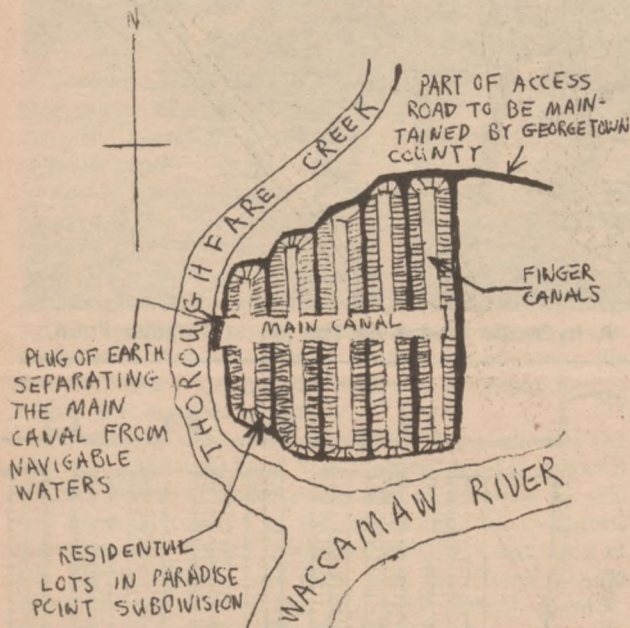
U.S. 17 to a point on the banks of the Waccamaw Rivers across from Sandy Island. Georgetown County contributed \$18,000 toward the purchase of a ferry boat by the "developers of Paradise Point." On November 15, 1973, the Georgetown County Board of Commissioners applied to the U.S. Corps of Engineers for a permit to construct a causeway across 2,300 feet of fresh water marsh to the Eastern side of the Waccamaw River opposite Sandy Island and to construct ferry landings on both sides of the river in this area.

—J.N. & J.H.C.

these three individuals are still the only directors and stockholders in SIDC. In July, 1971, Sandy Island Corporation sold an adjoining tract, known as "Paradise Point Addition Number 1" to SIDC for \$25,000. A third sale took place in November, 1971 in which SIDC paid \$250,000 for an adjoining 214-acre tract known as "Pipedown Plantation."

During 1971, the Sandy Island Development Corporation began to develop the "Paradise Point" subdivision. The land to be used for the subdivision consisted of more than 100 acres of ricefields (fresh water marshes) near the southern point of Sandy Island and bounded on the west side by a dike which separated the fields from Thoroughfare Creek, running from the Pee Dee River down the western side of the island to the Waccamaw River. (See map) Much of the land to be developed was under water at high tide. The technique chosen by the developers to turn the marshy land into property suitable for human habitation was one used by other developers who in the past were confronted by inundated land. The process involves the dredging of parallel canals known as "finger channels" which are connected at 90 degree angles to a main channel which is in turn connected to a nearby creek or river. (See illustration) The earth which is dug up during the dredging process is piled up between the finger channels, creating strips of high land which can then be graded, subdivided, and sold as "waterfront" lots.

In theory the owner of a lot could construct a pier



and navigate down the finger channel, into the main channel, then out into the nearby creek, river, or bay. Each strip of this manmade dry land is wide enough for two rows of lots with space in-between for an access road, and sewer and water facilities.

Before the channeling process began, the Development Corporation made sure the land to be developed was well-separated from the adjacent creek by a dike. At the point in the dike where the main channel was to join the creek, SIDC deposited a "plug" of earth which could be removed easily. The plug was inserted for two reasons; first, it facilitated the dredging of channels by keeping out most of the water from the creek, and more importantly, it separated the land to be developed from a navigable stream and eliminated the rising and falling of the tide in the contained area. By following this procedure, the developers were able to circumvent U. S. Corps of Engineers regulations which require permits for any alteration of areas below a line determined by calculating the arithmetic mean of the high tides over a substantial period of time. In recent years, opposition by environmental groups to dredge-and-fill permit applications has encouraged developers to avoid the permit process whenever possible.

The development technique used by the Sandy Island Development Corporation—that of plugging a channel between a dredging/filling operation and a body of water under federal jurisdiction and then developing the wetlands area behind the plug—is one which has been used frequently along the South Carolina coast for a number of years. The situation at Sandy Island serves as a specific example of a continuing controversy between the U. S. Corps of Engineers, which has jurisdiction over navigable waters and areas below the mean high water mark, and various private and public environmental organizations. The environmentalists contend that despite the placement of a plug or similar device to block a development from a navigable body of water, the Corps still has jurisdiction over areas which are affected by the tides. Environmentalists in South Carolina also argue that the policy of the Charleston District Corps of Engineers, which has jurisdiction over



A "plug" of land at Paradise

much of the South Carolina coastline, of allowing such development practices is not consistent with Corps practices in other districts.

An official of the U. S. Department of Interior told *Osceola* recently that development practices which routinely are condoned in South Carolina are unheard of in other Corps districts across the country. This official maintained that the problem lay with the attitudes of officials in the Charleston District Corps office. "They actually encourage people to work above the mean high water mark."

"Certain Corps officials here have the attitude that these developers are improving the land, despite the fact that the developers are destroying estuarine areas which are vital to the life support systems of marine life and wildlife."

Brion Blackwelder, an official with the S.C. Environmental Coalition, believes the Corps' policy indicates the "urgent need" for passage of the tidelands legislation now pending in the S.C. General Assembly.

"The Sandy Island situation, where over two hundred acres of vital wetlands have already been destroyed by the developers, typifies the problems of administering a permit system through the archaic Corps of Engineers bureaucracy. The Corps abdicates its responsibility for the effects of overall development. Instead of using its authority to defend the public interest, the Corps prefers to hide behind the narrowest reading of the law and to wait as long as possible before reviewing development proposals. The State is no better; it has no agency which is responsible for what happens to the wetlands of South Carolina. That's what the Sanders' Tidelands Bill is all about."

When Blackwelder states that the Corps "prefers to wait as long as possible," he refers to standoff situations between developers, the Corps, and environmental groups which have become increasingly common in the past several years, and in which the Sandy Island developers currently find themselves embroiled. Although the developers are not required to have permits for the work they do behind the plug, a permit must be obtained from the Corps before the plug can be removed. Two years ago, the Sandy Island Development Corporation applied for a permit to remove the plug when the channel development is completed. Before granting permits, the Corps is required to announce the proposal publicly and to invite comment from interested parties, public and private. If a permit application arouses a significant amount of protest, the Corps must attempt to bring about a compromise. Generally speaking, if the protestors remain vigorous in their opposition and represent significant bodies of opinion, the Corps is forced into a position where it would be difficult to grant the permit. In the case of the Sandy Island Development Corporation application, vigorous protests were filed with the Corps by the Bureau of Sport Fisheries and Wildlife of the U.S. Department of the Interior, the Waccamaw Planning and Development Council, and Columbia Audubon Society, the U.S. Environmental Protection Agency, Brookgreen Gardens, and the S.C. Wildlife and Marine Resources Department, among others. An official in the Charleston

District Corps of Engineers office told *Osceola* that the chances were "very slim" that the permit application would be approved. An official with the Bureau of Sports Fisheries and Wildlife was less optimistic: "I'd say their chances were about zero."

What all this means is that although the Sandy Island Development Corporation has destroyed over two hundred acres of wetlands and spent hundreds of thousands of dollars to purchase and develop "waterfront" lots on Paradise Point, it appears that the channels within the development will lead to a deadend. Persons who bought lots because they desired to travel by boat into the rivers and downstream to the ocean will probably not be able to travel outside the manmade canal system.

In the past, when faced with similar situations, developers have pleaded economic hardship, citing the tremendous investment which they have made in developing the channel property.

Environmentalists who are fighting the permits have expressed very little sympathy for the developers' point of view. "They knew the chances they were taking," an official of the S.C. Wildlife and Marine Resources Department told *Osceola*. "They figured they might be able to sway the Corps once they sunk enough money into the project. And you can believe the political pressure is on to get the state agencies to drop their objections to the permit application. Senator Stevens (D-Horry, Georgetown, Marion, and Williamsburg, already identified as a stockholder of Sandy Island Corporation) has been bringing a lot of pressure. I'm amazed, but for a change we're holding the line."

In mid-1971, as dredging operations began, the Sandy Island Development Corporation began advertising the proposed lots for sale. A plat of the Paradise Point subdivision prepared at that time indicates that five finger channels of varying lengths were proposed and a total of more than 400 lots, each 25 feet by 100 feet, were projected. (See plat) Restrictive covenants prepared by the developer required that each parcel upon which the owner wished to build have at least 75 feet of frontage—in other words, each buyer would need to purchase three lots before he could build.

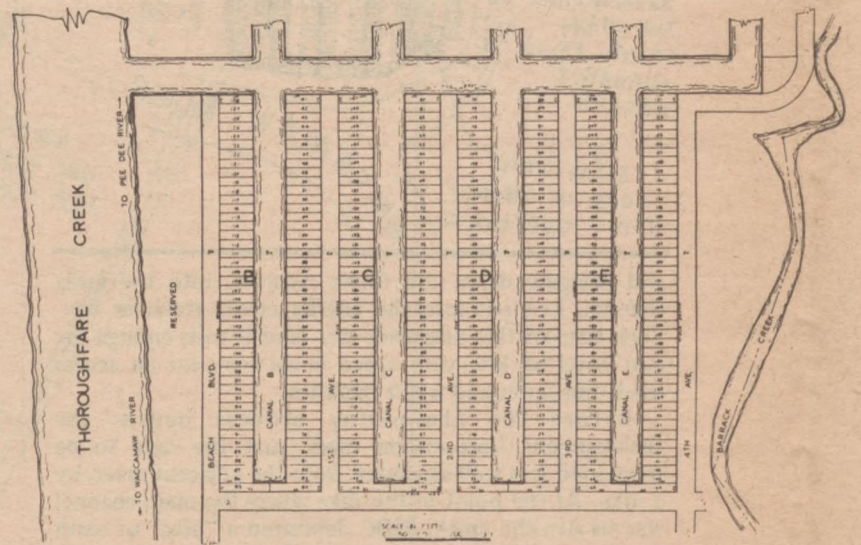
The lots were advertised for sale in newspapers in North and South Carolina. A typical classified ad read: "SANDY ISLAND - Several choice waterfront lots restricted public water and sewerage. Telephones. Ideal for vacation, retirement or investment. Registered with Department of Housing and Urban Development. Terms available." Courthouse records indicate the lots sold at a rapid pace. Another one-hundred acres immediately below Paradise Point were platted and designated as "Paradise Point Addition No. 1." (See plat) The addition consisted of five more finger channels which connected to the main channel running between the two developments and contained about 350 of the 25 feet by 100 feet lots. These lots also sold quickly—and at a higher price. (The price of a "site"—three lots—has fluctuated over the past three years from a low of about \$2000 to a high of about \$3000.) Meanwhile the developers, who were doing their own engineering, ran into problems. (Continued on page eight)



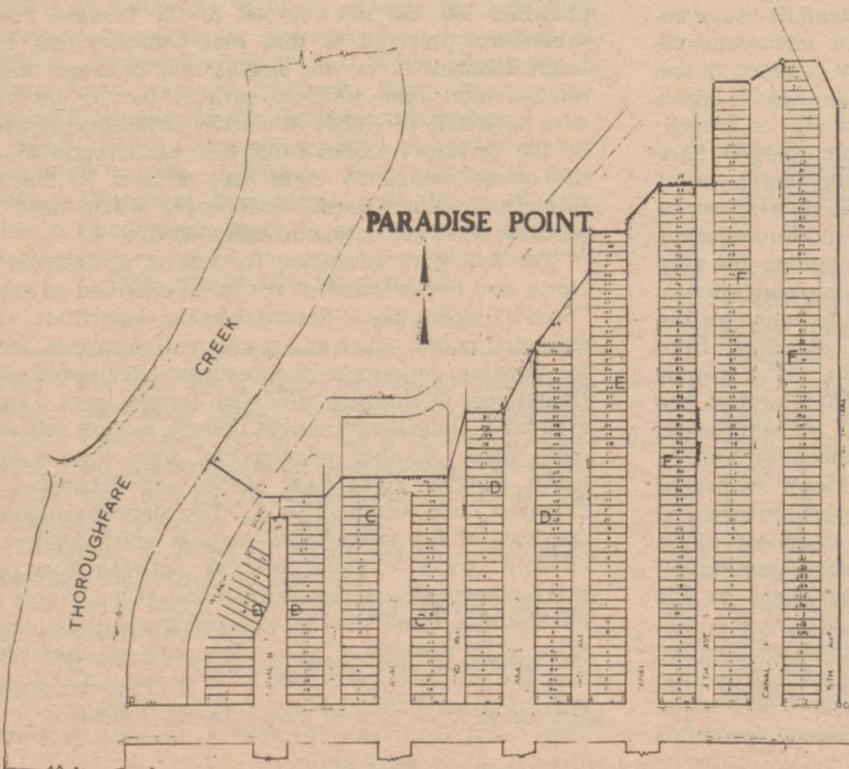
A hydraulic dredge on the job at Paradise Point

"There are basically two alternatives; for HUD...to go for an injunction, or to go for criminal prosecution."

—HUD OFFICIAL



PARADISE POINT
ADDITION NO. 1



(Continued from page seven)

According to a heavy equipment dealer who visited the site during the initial stages of the development, the mounds of earth which were dredged up and piled between the canals to create the saleable real estate had a tendency to collapse and slide back into the freshly-dug holes. Various methods were employed to correct the problem. The development stage stretched out over a two-year period. Then, according to the dealer, the heavy spring rains in the spring of 1973 caused the creeks to overflow into the development, destroying much of the work which had been done. Work on the channels has continued intermittently since that time.

On April 24, two Osceola reporters visited the offices of David K. Sloan, the Myrtle Beach realtor handling sales in Paradise Point. They posed as potential purchasers of lots in the development. This is their report of what occurred.

According to a plaque on the office door, the offices of Sloan Realty also serve as Headquarters for the Sandy Island Development Corporation. Sloan informed us that although all the lots in Paradise Point and Paradise Point Addition No. 1 had been sold by the development company, he was handling resales of several lots by their present owners. Sloan told us the development was registered with the Office of Interstate Land Sales Regulation, Department of Housing and Urban Development, as required by federal statutes. He gave us a property report which developers registered with HUD

are required to provide to prospective buyers.

Sloan told us the dredging and filling, channelization, and leveling and grading of lots would be completed within 90 days. We were shown a map of the property which did not indicate the location of the contested plug of earth (see plat), although Sloan told us that the plug was there and added that it had been removed the day before to allow a dredge to pass through into the main channel and had then been replaced. We asked him if the developers thought they would have any problems obtaining a Corps of Engineers' permit to remove the plug, and Sloan replied: "We already have a permit to remove the plug, and it will be removed when the dredge has finished its work."

Several hours before our visit to Sloan's office in Myrtle Beach, we paid a visit to the Charleston District Corps of Engineers' office in Charleston. We were told that the developers did not have a permit to remove the plug, and that their chances of obtaining a permit were "very slim."

Sloan told us that the developers had given up plans to develop another Sandy Island subdivision, to be known as "Pipedown Plantation," because of the increasing difficulty in obtaining permits and dealing with other federal regulations. "You better get in on this one because it will be the last of its kind," he repeated several times.

We told him we were under the impression that developers could "talk" to the Corps.

"Sure, you can talk to the Corps; it's these other groups like the environmentalists and the Department of Interior that are giving us the trouble."

Before visiting Sloan's office, we talked by telephone with Rexford Glaspey, an enforcement officer with HUD's Division of Interstate Land Sales Registration. Glaspey said the Sandy Island Development Corporation had registered with his office during 1971, as required by law of any developers "making use of any means or instruments of transportation or communication in interstate commerce or of the mails."

Glaspey said the developers' permission to sell land at Paradise Point was suspended on March 1, 1973 for failure to properly amend their property report in accordance with regulations which went into effect in January, 1972. Glaspey said the developers "have failed to make an effort to come into compliance" since their suspension and "we haven't heard from them" since the developers sent a telegram to HUD on February 2, 1973, requesting a hearing on the matter. "They asked for a hearing, but they failed to file an answer to our notice of proceeding, which is required in any such legal action." Glaspey said any sales made after March 1, 1973 were voidable transactions.

According to records in the Georgetown County Courthouse, the developers have recorded sales of at least six lots since that date, and a comparison of courthouse records and information which we obtained during our visit to Sloan's office, some sales may have been completed since March 1, 1973, which have not yet been recorded in the courthouse.

Glaspey also said that the developers were required to post notice of their suspension in public view, and that "any HUD property report they give anyone now is just so much paper."

As previously mentioned, we were told by Sloan that Paradise Point was registered with the Department of Housing and Urban Development — which is technically incorrect — since the development is under suspension. He also gave us a copy of an old HUD property report, indicating that the report meant the development was in compliance with federal law — which was incorrect. We saw no notice of suspension posted in the Sloan Realty office, as is required by statute.

According to rules and regulations established by the Office of Interstate Land Sales Registration, it is unlawful for any developer under suspension to advertise for sale any property covered by the suspension. Yet numerous classified and display advertisements have appeared in the Myrtle Beach *Sun-News* and the Grand Strand *Journal-American* during the past several months, offering lots for sale in Paradise Point.

The situation regarding the earthen plug and the lack of permits for its removal may also involve a violation of federal regulations. According to the federal regulations, "In the event the lot in question is in a wetlands area, the (property) report is required by HUD regulation to state that no permit has been granted by the Corps of Engineers for the development under Section 10 of the River Harbor Act of 1899."

According to HUD officials, this regulation includes any permit required for the development, which would also include a permit to remove the plug. Additionally, the Interstate Land Sales Act states that it is illegal "to employ any device, scheme, or artifice to defraud, or to obtain money or property by means of a material misrepresentation with respect to any information included in the statement of record or the property report or with respect to any other information pertinent to the lot or the subdivision and upon which the purchaser relies..."

Osceola spoke with Lloyd C. Burkes, a resident of Gate Mills, Ohio, who purchased six lots in Paradise Point in April, 1972. Mr. Burkes said he was under the impression that the earthen plug would be removed. "Before you start a development like that, you always get Corps approval," he said. Burkes said he bought the property primarily as an investment. He was asked if he thought the value of the property would be reduced if the plug was not removed, in view of the fact that boats would then be unable to move back and forth between the development and the river. "I guess they might be," he said. "Yes, they probably would be."

Glaspey, the HUD enforcement official, told Osceola that his department would begin an investigation of the situation. "There are basically two alternatives," he said, "For HUD ... to go for an injunction, or to go for criminal prosecution." Glaspey said the choice would depend on the extent of the violations, if violations were in fact found. "If what you say is true, these sales may be voidable."

Criminal penalties for violation of the Interstate Land Sales Full Disclosure Act provide for fines up to \$5,000 or imprisonment for not more than five years, or both, upon conviction.



Two is better than one

Examination of lists of stockholders and directors of Sandy Island Corporation and Sandy Island Development Corporation indicates that the two corporations are controlled by the same group of persons.

Although Sandy Island Corporation listed its initial amount of capital stock available at \$65,800, Sandy Island Development Corporation listed its initial capital stock available at \$500, further supporting the possibility that the Sandy Island Development Corporation was formed simply as a functioning device to be manipulated by Sandy Island Corporation.

Individuals familiar with the ins and outs of business finance point out that a "tool" corporation is sometimes formed to facilitate the borrowing of money; the first corporation borrows the initial sum and then lends it to the tool corporation, which uses it to carry out the business functions dictated by the original corporation.

Under this arrangement, the original corporation is legally shielded from liabilities incurred by the tool corporation. Lending institutions prefer to lend money to applicant corporations which do not engage in business activities that may subject them to substantial liabilities. Such seems to be the case with the Sandy Island Corporation and the Sandy Island Development Corporation.

According to records in the Georgetown County Courthouse, Sandy Island

Corporation mortgaged a portion of the island property to the Horry Production Credit Association for \$50,000 in January, 1971. Two months later, on March 8, 1971, Sandy Island Development Corporation mortgaged Paradise Point to the Sandy Island Corporation for \$20,000. This obligation was satisfied on June 25, 1971. In November, 1971, Sandy Island Development Corporation mortgaged Pipedown Plantation, adjacent to Paradise Point, to Sandy Island Corporation for \$245,000.

Another possible advantage to operating within this legal structure is that the principals of the parent corporation could be stockholders in the tool corporation and thus share any possible profits without subjecting their individual assets or the assets of the parent corporation to the possible liabilities of the tool corporation.

In South Carolina, stockholders of corporations are not required to be identified as such in the records of the corporation filed with the Secretary of State; however, a partial list of the stockholders of Sandy Island Development Corporation includes the three principals of Sandy Island Corporation who are directors of Sandy Island Development Corporation. This legal structure also allows the directors and stockholders of Sandy Island Corporation to remain behind a smokescreen as far as their possible connections with Sandy Island Development Corporation.

—J.N. & J.H.C.

Stopping crime in Pickens County

by Bob Thompson

PICKENS -- John Thomas Gentry hasn't had an easy time of it since he was named Pickens County Court's first judge two years ago. In an effort to curtail what he saw as rampant crime and eroding respect for law enforcement personnel, Gentry has taken a hard-line approach to crime. His tough sentences and sometimes innovative policies have marked him as somewhat of a maverick. They have also restored a certain respect for the law in Pickens County, Gentry claims, where two years ago "People were afraid to leave home at night, for fear their house would be ransacked and their chattels gone when they returned."

The 50-year old jurist and bank president has come under fire from various political leaders and from the press within the last two years, because of both his conduct on the bench and his actions as former county Democratic Party Chairman. Through it all Gentry has maintained a bulldog-like independence which has become his trademark.

Gentry, a state representative from 1952 through 1962 and a highway commissioner for Pickens and Greenville counties for six years afterwards, was named the first judge when the General Assembly created Pickens County Court in May, 1972. The court was created in order to lighten the load upon the 13th Judicial Circuit Court, which found minor civil and criminal cases burgeoning in Pickens County.

Gentry, at the time serving as highway commissioner, was nominated for the judgeship by the Pickens County Bar Association, approved by the county council, and confirmed by Governor John C. West. Gentry resigned the highway post and accepted the judgeship, claiming that the job has been "a financial sacrifice." He said he "didn't take it on primarily for any other reason, than to perform a public service."

Since that time the tanned

grey-haired Gentry has been in upstate news a great deal -- especially for a man who so heatedly disavows future political intentions. He said he's "done his duty" already after serving that decade in the South Carolina House of Representatives. While he is critical of certain elected officials -- for instance, Pickens County Supervisor Elmer Willis -- whom Gentry feels has allowed the county prison and jail to fall into disrepair -- Gentry vows he won't run for any more elected offices. "No, no, no... definitely not," he retorts to such questions, with a strange vociferousness which causes one to wonder about his real intentions.

"A young lawyer who spends more than two terms in the legislature, unless he has higher political aspirations, is wasting his time beyond that," he claims. Now that he has "done his duty" Gentry seems content to remain where he is and unless a drastic change in mood takes place within Pickens County, hardly an everyday occurrence in these parts, he is almost certain to be reappointed to another four-year term when his present one expires in August, 1976.

Gentry wasted little time after being appointed judge before he caused a considerable controversy. Although the dispute wasn't about his job, but rather about his politics. In September, 1972, Gentry publicly announced his endorsement of Republican Senator Strom Thurmond, this despite the fact that Gentry at the time was Pickens County Democratic Party Chairman.

The endorsement brought howls of protest from several county Democratic officials. E.M. Lander, Clemson precinct chairman, resigned his post, as did vice-chairwoman Mrs. T.G. Titus and executive committeeman William Capel, also from Clemson.

The trio, claiming Gentry violated state Democratic Party rules by failing to support the party candidate, Nick Zeigler, clamored for his resignation as



...Today's problem stems from a lack of direction furnished by parents, bolstered by a general national unconcern for the basic virtues that made our country great...

—Judge John T. Gentry

county chairman. Gentry refused, saying he had a right to express his private opinion. The county executive committee backed him up, thus also revealing a preference for the opposition candidate. As Lander put it, Gentry "has a rather conservative political philosophy and he simply agrees with Mr. Thurmond's stand on things."

So while Gentry went against the political tradition, he probably didn't go against the predominant political grain that much. Through it all, he came out shining. And after the episode, he snarled a get-tough posture: "I've been around this country too long to be pushed around."

Strictness has been the dominant theme in Gentry's courtroom proceedings, too. Ask any of the drug offenders who have appeared before him -- Gentry is no pushover.

One example of Gentry's stricter policies -- he calls them "innovative" -- has been his no-fine option policy toward students convicted of drug violations. Gentry claims that the normal "90 days or \$100 for first-time marijuana users was not getting their attention," so he made the jail sentence mandatory. Reactions have been mixed so far. The drug users, many of them Clemson University students, at first opposed having to serve their recent ten-day spring break in jail while non-students were given their option of paying the fine.

But Gentry decided that something would have to be done to curtail drug traffic. "Almost anyone from Clemson can come up with a \$100 fine," Gentry explained. "What I want is their attention, not their money.... I need to get the word back to Clemson that \$100 will not buy them off."

Gentry claimed he would continue "innovating" if need be, to fight drug use. But some students and several local newspapers felt the judge was being discriminatory to students. Students who spent their spring break in the Pickens County stockade were more angry at conditions in the work camp than at having to serve time. They alleged the cells were unsanitary, the food was unhealthy, the guards were incompetent and racial discrimination was pervasive.

Yet Gentry says he was aware of conditions at the stockade but explained that he has no legal power to change them. That's up to the county supervisor, he said. So far there has been neither the communications nor the understanding necessary to improve the stockade or to make rehabilitation more than a mythical ideal. "I've been widely accused of being the operator of the Department of Public Works. But after I had sentences these people to terms, my jurisdiction stops," remarked Gentry. He added that he disagrees with the prevailing philosophy of amateur penalologists, which maintains that the worse condition a prison is in the more it serves as a deterrent to crime. "I believe that it's absolutely necessary to separate some people from society, for a given length of time... but while confined those persons are entitled to be humanely treated, housed clothed and fed."

The major complaints that students just back from the stockade voiced were about racism -- both in sentencing and in later treatment by jailers -- and "pre-determined" plea bargained sentences.

"There were some blacks there serving straight time for

possession of one hit of THC (a mild hallucinogen) according to one student) "and here we were charged with sale and possession of pot, and possession of amphetamines. The sentencing was too inconsistent. The students were all white."

Another student said the sentences were all pre-determined, he explained, "My lawyer told me I was going to get six months of weekends, a \$300 fine and ten days... sure enough, when I got before the judge, that's exactly what he gave me."

Yet Gentry claimed that each sentence he makes is based upon individual circumstances and that all "mitigating" conditions are considered.

"No I don't have any programmed, computerized, push-button sentences," he commented. "They all stand on their own bottoms. And consequently, terms, times and amounts vary from case to case. If they were all to be consistent, they'd put a push-button system in -- it wouldn't require judges."

What, in Gentry's opinion are the causes of crime today? It's a combination of a person's will, his genetic makeup and his environment, the judge says -- with several other ingredients. "Today's problem stems from a lack of direction furnished by parents, bolstered by a general national unconcern for the basic virtues that made our country great," he notes. "Careful adherence to those principals by public officials would help to solve the crime problem," he hinted. But can everyone help? "Certainly," he says.

"I think everyone should serve some time," Gentry says, then realizing his own Freudian slip, he quickly adds, "In public office."

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Lexington's very own Watergate

A nine month environmental battle over Lake Murray entered its most crucial stage yet this week when the United States Federal Power Commission held a public forum and pre-hearing conference on uses of the lake Tuesday in the United States District Courthouse in Columbia.

The case is basically one of determining who is responsible for maintaining the 78 square mile lake and keeping it from being ruined by the rapid development and growing sources of pollution. Built in the 1930's as a hydro-electric project, the lake is owned by South Carolina Electric and Gas and is subject to licensing regulation by the FPC. In the past the electric utility has done little to regulate development along the lake's 525 miles of shorelines. Nor, for that matter, have local county or state agencies indicated much active interest in controlling growth and protecting the lake.

Legal efforts to fix responsibility for the lake began over two years ago when an individual property owner filed a complaint with the FPC arguing that SCE&G, local governments or some other agencies should be required to regulate the lake and insure orderly development.

The ruckus didn't really begin, however, until late last summer when a group of land owners and other lake users gathered in Lexington and organized themselves into the Committee to Save Lake Murray. Focusing on one condominium project's plans to discharge treated sewage effluent into the lake, the committee took steps to get their views on lake pollution and potential pollution across to the power. The Federal Power Commission's basic document in the case came out September 10, 1973 and was both a victory and a defeat for the newly formed committee. On the one hand the FPC ordered SCE&G to allow the condominium project, "Watergate," to construct the discharge line to serve 114 units in the project's first phase. At the same time, however, the FPC said "no further easements for similar projects should be granted until a public hearing can be held and a study can be made."

A suit filed by the committee in the United States District Court of Appeals in Washington charges that the easement to Watergate, which is now operating the discharge system, was arbitrary and should be reversed.

Tuesday's preconference hearing was the first step in the long-awaited FPC consideration of the case.

Lawyers, landowners, developers and a number of local officials and interested residents jammed courtroom number two of the Laurel Street courthouse



Watergate Condominiums

...Consensus of opinion at the hearing seemed to be that the FPC's role would eventually be one of a catalyst, sparking zoning regulations and strict development ...

Tuesday morning for the conference's first phase, a public hearing.

James E. Smith, who initiated the original action before the FPC in 1972, "Red" Douglas, vocal chairman of the Committee to Save Lake Murray, and F. Glenn Smith, attorney for both, headed the list of several speakers who addressed the FPC's administrative law judge, Ernest Liebman, in support of the regulation of lake development. Some of those who spoke in favor of orderly and regulated growth also spoke in support of the Watergate project's disposal system. SCE&G managed to get in the last word in the morning session when Edward Roberts, one of four SCE&G lawyers to attend, told the judge and 80 observers that the utility company is "strongly sympathetic" to the views expressed at the hearing.

For the most part, the views expressed in the morning session offered little new to the discussion of the Watergate project or to the discussion of the lake in general. Once Roberts completed his response, the conference adjourned for a leisurely hour and a half lunch. It was in the afternoon that lawyers got down to some of the more fundamental issues.

One of the basic questions the army of attorneys considered after lunch was that of

jurisdiction. "How far can the FPC go?" Liebman asked. "Can it institute zoning to protect the lake? Should it set up a model county ordinance?"

Attorney for the citizen's committee, Glenn Smith, countered, "The FPC has already participated in development of the lake by granting easements through SCE&G. It could have subjected the Watergate project to stricter inquiry."

Smith went on to accuse the power company of being "a little irresponsible" in its role as licensee and referred specifically to the question of the development of the island part of the Watergate project.

The island question wasn't all that relevant to the remainder of Tuesday's discussion but deserves at least a brief explanation if only to suggest some of the possible ramifications of the case.

As mentioned in the FPC order of September 10, the question relates to three islands in the later phases of the Watergate Development. At this point, Watergate owners have postponed plans to develop the islands but the FPC's concern relates to a more fundamental question.

Back in 1966, in a letter approving SCE&G's plans for public use of the lake, the FPC ruled that "all the islands in the reservoir will be reserved for

public use."

In 1969, however, SCE&G lost possession of the three islands in question, known as Spence Islands, to the Spence family under the law of adverse possession or squatters' ruling and Allen Spence, U. S. Congressman Floyd's brother, obtained complete title to the land in the 1969 court proceedings. He later became a principle partner in the Watergate partnership.

Next to speak at Tuesday's hearing was Elizabeth Crum, attorney for South Carolina Department of Parks, Recreation and Tourism. PRT had already spent hundreds of thousands of dollars developing Billy Dreher Island State Park, Crum explained later, only to have the FPC stop all easements. Efforts to get the park exempted from the order a few months ago failed and Crum once again gave the park commission's case.

"We are looking at broader issues," Liebman responded, "other than just Billy Dreher Island Park and we need a detailed study and record."

Peyton Bowman, one of SCE&G's two Washington attorneys at the hearing, addressed the judge and supported the easement requests, now being delayed, to the Dreher Island, Edgewater Shores, Champion

Paper Co. and Watergate. "We support all these applications for easements," Bowman said, adding that the company would submit written testimony later in the hearing process.

Liebman and FPC's staff attorneys then got back to the question of jurisdiction and mentioned a number of proposals, including the idea of getting input from all local governmental agencies having interest or involvement in development of the lake.

The remainder of Tuesday's session was spent setting up a timetable for completion of written presentations, filing of responses, and a study of the lake. Also the FPC will initiate plans to get local agencies involved. Liebman set July 9 for the next prehearing conference and indications are from those present that by the time testimony and rebuttals are filed, and the actual FPC conference is held, it may be fall. After that, Liebman explained, he must make a recommendation to the commission.

Consensus of opinion at the hearing seemed to be that the FPC's role would eventually be one, as Liebman put it, of a "catalyst," sparking zoning regulations and strict development plans by local governing agencies.

Getting local governmental agencies involved in the lake may not be an easy task, however.

In the meantime at least the four projects mentioned above are being tied up and others are probably also being delayed. The commission is in no hurry to complete the proceedings, however. In the long run, Liebman said, "What will the lake be like in 25 years?"

"This involves more than Watergate," he said, "and a few months delay now will be worth it if the right plans are developed."

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Music/Black Earth

A different kind of sound

by Dan Harmon

There are four guys in the Black Earth Percussion Group, all of them in their 20's, and they had us divided into four groups, each directed by a Black Earther. I remember I was in group A, which began performing right after group C—which you probably think is odd, and it probably is—but that's perfectly in keeping with what we were doing, which was performing this piece of 1972 music composed by new musician Edward Miller. We, the audience, were doing the performing, mind you. And I think we botched it, although I'm not sure. And there's really no way to tell, and it wouldn't matter even if there was. Anyway, group C started the thing with a "bahhhh" that started soft and built in volume and pitch, then we immediately answered with a descending "bahhhh." After that we did whatever we wanted to, really, as long as it sounded squiggly, prolonged, or ascendingly or descendingly blotched, just like the music notation projected onto the wall in front of us. We oohed, ahhed, shouted, irfed, barfed, clucked, thumped, hummed, mooed, stomped, whistled, booped, squealed, clapped, snapped, jangled car keys, imitated monkey calls, and generally had a helluva time. I did some of my duck quacks near the end, when I had loosened up some. But before I really loosened up the music ended. We gave ourselves a nice round of applause.

"One thing you should be aware of is that we made some pretty arbitrary decisions," said Mike Udow, one of the four. "We decided to divide you into four quadrants, not taking into consideration voice range or anything of that sort. You can do it either in this form or you can tidy it up so that the top line, say, would be soprano. There would be more clarity and distinction between the parts. Those types of decisions as to what instruments to use are left up to the musician so that he can become as involved or superficially involved as he wants. There is a lot of opportunity to expand your creative ability. It's not just the composer's creation but what you create, too."

This was Friday afternoon of last week at Black Earth's workshop in USC's Fraser Hall. That night four of them would perform the same piece in concert, using their percussion instruments, and it would sound quite different. "Each of us got together a group of instruments," Rick Kvistad said. "It's just using different sounds at different pitch levels."

They carry 100 or so percussion instruments on tour with them—there are more back home at Northern Illinois University, where they are all music instructors. A lot of them are "found" instruments, which means literally, that you go around looking at stuff, anywhere, and when you see something that makes a sound when you strike it that inspires you, you take whatever it is home, and you've got yourself another "found" instrument. Al Otte demonstrated the use of two garden stones, one flat, the other pointed. The flat one he held in the palm of a cupped hand, striking it with the pointed one, and by flexing his hand to deepen or shallow the cup he changed the pitch of the "click." Mike played some notes on a "musical saw," which is a long slab of tempered steel braced against the floor; bowing the edge with a bass bow creates a weird whirring sound, and by bending the steel you literally bend the sound. Al took a frying pan and began striking it while lowering it into a tub of water, lowering the pitch also. Mike bent some more sound by bowing the edge of a cymbal, and his brother Gary displayed a Flex-o-tone, which is like a hand-sized musical saw, only you strike it with a small mallet rather than bow it.

"Really it becomes interesting when you come back and see the piece in the evening," Al said, "and they're not just sounds, they're not just curiosities but somehow they can be formed, collectively, by our decisions into a musical experience. Or at least I hope it comes across that way."

Percussionists don't find instruments just to be doing it. Economics provides the motive. "There's a certain resourcefulness about finding and building and creating instruments, in percussion more so than any other field," Al claimed. "I mean, if you're a violinist you just buy your violin and it's expensive and then you're done with it. Or if you're a pianist there are places to find a piano. But if you're a percussionist it's just one expense after another. Companies, of course, control that like anything else. It just gets too expensive. Also the quality of any manufactured item that's mass-produced, like the marimbas and the drums and all that, just no longer serves our needs the way we'd like it to."

But found things have an artistic virtue, too, according to Rick: "It's nice once in awhile when you actually can come up with a 'pure' sound."

Al fools around with prepared piano. Prepared piano is prepared by putting rubber washers and bolts and things in the piano strings, so that when you strike the keys you get thuds and thunks instead of normal piano sounds. In "Amores," a John Cage piece which the group performed at the concert, the first and fourth movements were prepared piano solos.



The Black Earth Percussion Group

"It was written in '43," Al explained. "I think he (Cage) started doing prepared piano things in the late 30's. It's sort of an interesting story how it came about. Cage was working with a dance company at the time when he was already writing music for percussion ensemble. I guess that's long been associated with modern dance things. It was in Seattle, in a theatre where he just couldn't get his percussion ensemble because there wasn't room for it. Somehow, he had to come up with a similar music in a confined space just by himself. He started experimenting, almost by accident, and found some sounds inside of the piano which could imitate just about anything his percussion orchestra was doing."

In discussion John Bircher, a young percussionist-instructor at USC and maybe the foremost percussion authority in the Midlands area, provoked some observations from the group that say a lot about what they're into—a lot more than what I could get on my own. Bircher started it by questioning the conflict between the group's performing and developing experimental percussion while teaching "traditional" percussion methods at NIU.

"We teach those things (standard methods) to students right now," Rick began, "but I think the future may hold a de-emphasis on traditional techniques. As you'll see tonight, we still make use of the traditional."

"I have a different impression," Mike joined. "I think these *are* legitimate techniques, and the orchestral techniques of the past are becoming the rudiments. They are becoming the basic techniques, whereas these new things are expending the old and in fact are now the legitimate techniques and will become, in their own time, the basic techniques for something new that we haven't conceived of yet. I think the attitude one takes in that regard is important, whether it's vocal singing or whatever. There are operas by new composers where they ask the percussion players to play musical saws in specific pitches. These are actually fairly traditional composers, compared to a lot of the music that we perform. A funny story is that Buster Bailey, who's a fantastic snare drum player with the New York Philharmonic, had to play glass wind chimes in a piece by Berio. He's an excellent player who was recorded doing the Nielsen symphony, the fourth, the snare drum solo. It's terrific. Yet when it comes to just gently touching wind chimes and figuring out a way to stop them so that when the orchestral strings cut off, the wind chimes cut off also, he actually couldn't do it, and they had to hire an extra from a Manhattan school to come in and play the part. Simple wind chimes that hang out in front of your house. So if it's in the orchestral repertoire and you're getting paid four or five hundred dollars a week to play a wind chimes part, then it's a traditional technique. Money dictates what's a traditional technique, sometimes."

Okay, asked Bircher, can a new percussionist survive without having an understanding of the old methods? No, the group concurred. Al pointed out, "For me to go into a symphony orchestra at this point would be certainly possible, but I'd have to take a chunk of time—six months or something like that—and go back and just practice my xylophone and triangle thing, because there are guys who do that, all day every day. If that's what they really want to do, that's great. At the same time table, the drums that you always hear accompanying sitar music, is an Indian art that's usually an apprenticeship sort of program that takes 10 to 15 years to really learn."

Mike again: "It seems curious to me that it's only in Western music that in percussion we're well-rounded, so to speak. In fact, the percussion industry has used that term for a long time to sell more instruments. Well-rounded means you can play a little bit of everything pretty well and get by on the music that's written, but compared to spending your lifetime learning how to play two table drums . . . You know, those people do that all the time, and that's the end of it for them. So obviously their artistry is much more highly developed than what we can do on any one of our given instruments. You say we play everything as well as possible. You could take it from the other end and say we play everything the least bad as possible."

Another funny thing about western music, Rick pointed out, the "virtuosity" concept: "As far as I can see it seems to be pretty consistent with western culture, which I think is psychologically more ego-oriented than music in the east, which I've just become really interested in. I'm sort of centering on Bali right now. The philosophies in those cultures are so different. In India the classical goal is toward attaining a spiritual awareness or super-consciousness. People here and in Europe look on that negatively, which I completely disagree with. I'm really losing interest in western philosophy. In Bali and Java music is part of celebration, part of everyday life. They don't have a word in the Balinese language that means art or artist. That appeals to me a lot right now. It seems to me there is no future in western music that is still ego-oriented. In fact I'm leaving the group at the end of this year for these reasons."

Does Rick perform music to attain some spiritual goal, or is music in itself an end?

"I'm in between the two right now. It always has been, hell, I'm gonna be creative all through school. I'm gonna work, I'm gonna practice. And I did my bit, I was the principal in a symphony orchestra, made lots of bread. And the whole scene there was just so ugly. The musicians were all going crazy because of jobs—I won't get into that. I felt I should try that kind of thing out. Now I'm going the opposite direction. It's interesting to know that it's when I haven't been reading from a printed page, when the music either has been memorized or improvised that I really get into it."

"Take someone like Joan Baez," Mike said. "She refuses to play in a concert hall if the highest-priced ticket is more than two dollars, because she feels that the music is for the people, and the people are the ones who can't afford to pay more than two dollars for a ticket. Whereas, take a group like Led Zeppelin, who last year went on a tour of the United States. They chartered a private jet plane to fly them back and forth to every job. From Chicago to Los Angeles the plane fare was \$10,000. Well, that expense will be passed down to the consumer."

Still another curio about western music is its impersonal aura, Mike said. "Back in the 40's there were always dance halls where musicians touring around the country played for these dances and people came and there was an immediateness, an association between the band who is playing and the people who are dancing and listening. Now you can go into a place where they have a jukebox, and you put in the money and a record falls down and they dance to the record, and there's not that immediacy of the musicians being there. I think that's really a shame. In Europe, wherever you go there are the

—continued on page thirteen

...If you're wondering about their qualifications as instructors, each has a mile-long list of credentials...

continued from page twelve

polka bands or the kinds of ethnic music that happens to be in the area. They're playing and the people are dancing. In the African and Indian cultures it's not just a part of the social function but it's an immediate, intricate part of the society. All through the community music is more of an integrated part of the society than in ours. And that's a serious concern to me. And we want to change that, the direction in which music's heading in this country."

So much for the blahs of western music.

At the workshop last week they performed a piece by Frederic Rzewski, written in 1969, which is about 65 sheep that get tossed over the edge of a ship. A series of notes represents each sheep, and you count them as they fall, like one; one, two; one, two, three. At the beginning of each count you play the first sheep and build, and you string all these things together and that's the song. All four men played xylophone, marimba or vibraphone. The object is to begin in unison and, when you lose count and get lost, keep going and don't worry about it. This creates a musical collage.

And that's what they did, starting in unison and getting lost pretty fast, and the collage lasted for about 15 minutes until one got to the end—or what he thought was the end—and began hammering a single note. As each one finished the count he hammered the single note, and as soon as the fourth one began hammering, that was the end.

"How many of you were sort of able to figure out what we were doing and pick up on the basic pattern, at least at the beginning," Rick asked us. "It's not real easy, and as far as I'm concerned it's not real important. The important thing is what happens to the piece. The way I see this piece is that after we get off it presents enough ambiguities so as to force the listener into hearing his own piece. So there are a lot of paths we could have taken. Whenever a pitch is reinforced, for example, when two people hit a C, it would be louder. Occasionally we were accenting them. The accents and the notes that are reinforced tend to form a little pattern, a weaving pattern like a melody and you can pick that out as a separate melody. In other words there were four separate melodies that we were playing, but also there was a composite and also, within that, there were melodies that you could pick out yourself due to accented notes. Sometimes a lower note would stick out, sometimes a higher note would stick out. Sometimes there were undertones that you could hear, and then there were a whole set of overtones. So there's just a tremendous number of things that you could follow, and it's pretty much up to the listener."

"Incidentally, we got off pretty soon compared to the way we usually do. It used to be a case of pride. When we first started doing it somebody'd get off and right away they'd try to change and get back on because they were embarrassed at being the first one to get off. But really it's more fun to do the piece when you're not in unison."

Black Earth is a town in Wisconsin where the group had planned to live on a farm, share the land and rehearse their music in a barn. "But we got stuck right away at the university," Rick admitted. They've been together about two years, they tour the country with their equipment in a van, and to date they have recorded one piece as part of an album. They hope to record an entire album themselves when they return from their South Carolina trip.

I wondered how four faculty members at one university music department could all take off for weeks at the same time. "Well, that's really easy to work out to the satisfaction of both us and the university in that we're part-time on the faculty," Gary said. "We were hired for that reason alone—so that we could get away. That's advantageous to them since we tour the country and talk about Northern. They don't put any pressure on us. There are five teachers in the percussion department. Four of us are part-time and one is full-time, so there's a full-time percussion instructor there."

And if you're wondering about their qualifications as instructors, each has a mile-long list of credentials from big-name symphony orchestras and some of the top music colleges in the country.

The concert began with the Miller piece, which the quartet performed quite differently from our audience version earlier. Next was one of Rick's compositions titled "Miles East." He explained that it used two Chinese tonal systems and involved ad libbing patterns. "We move on whenever we feel like it, so that the performance is different every time, and the only rule is really just to stay together rhythmically," he said. Performed on the xylos-marimba-vibraphone, it reminded me of rafting down some African river, maybe, and also of the old Maxwell House coffee commercial with the percolator.

On "Paths," by Ronald Pellegrino, there was a color film accompaniment showing spiraling, curling, interplaying light patterns. For instrumentation, which sounded appropriate to the film, the men bowed cymbals and fooled with piano strings.

"Tune," a Mario Bertoncine work which started the second half, featured all four getting a couple of hundred

varieties of sounds out of the cymbals. They even hit them with mallets like you're supposed to, though not very much. "Apple Blossom" was another xylo piece of watery music; at the end there were about 30 seconds of complete silence before the group relaxed.

The last one was Cage's "Amores." Between Al's prepared piano solos, the other three performed a movement with tom-toms and pod rattles, and a third movement with nothing but woodblocks.

I have absolutely no idea how well they performed, so later I asked Bircher. Specifically, what did he think of Kvistad's composition?

"Kvistad's composition was overly long and was a composition drawing on four or five musical sources that were in themselves easily comprehensible. It went too long on too little melodic material. A composition is based usually on a piece of melodic material or rhythmic material that is either stated and developed or stated and dropped, stated and contrasted, among other things. So out of all the pieces that Black Earth did, Kvistad's was probably my least favorite."

Then I went beyond Black Earth to new music in general, and asked him if it wasn't indeed overly simple to compose.

"It's very easy for anyone to compose something. As to whether that which you compose is relevant to anyone is another matter. I could put down something that I could call a composition right here. But it may not have relevance to the world of music at all. The thing that gives it relevance is how many people really find an expression in it."

"John Cage has written a piece called 'Four Minutes and 33 Seconds,' for anything. It's composed of nothing but silence, with his premise being that that particular composition is made up of whatever happenings occur while the performer is performing that piece. So the entire performance of that piece is based on sitting in one spot and waiting for four minutes and 33 seconds to elapse, meaning that it would be an entirely different composition in a soundproof room than if you performed it on a sidewalk."

That, I said, is simple to compose. Right?

"Well, if that was the only thing he did, then he probably wouldn't have gotten too far. But as you could tell from his 'Amores' he had some other ideas that were quite interesting, quite concrete."

"A composer just manipulates sounds. And if a listener of the composition finds nothing in the way of expression, or finds nothing in the way of ear-tickling sounds at all, then you don't have a composition of relevance to anyone but yourself."

A great listening experience

Chicago VII
by Chicago

Chicago VII is a rather unexciting title for such an ever-changing, improvisational group to attach to their latest album. But then, as a friend of mine put it, maybe the talented members of Chicago would rather spend their time on music and leave labels to others.

At any rate, *Chicago VII* is the finest collection of songs that this legendary band has put out in a long time. This opinion comes from an early Chicago Transit Authority fan who lost interest progressively on albums III through VI, only to return to the fold. Whether the return is wholly due to Chicago's reversion to their former excitement, or whether this reviewer is simply seeing things differently after a temporary blindness, is a moot point.

Chicago certainly did seem to get into a musical rut for a while, a phenomenon which can probably be blamed on the band's heavy touring schedule. Chicago is always on the move — physically, if not musically — and with the extraordinary number of road performances they do, it is a wonder they have any time at all for studio experimentation.

There are several influences apparent on this recording. Just looking at the number of Latin

surnames in the credits can give an indication of the part that reggae and other Latin music forms have had on Chicago. Laudir de Oliveira and Guille Garcis help out on percussion and congas respectively, and give songs such as the cutely named "Mongonucleosis" their vibrant rhythm.

Rhythm and blues, or "soul" if you would prefer that appellation, continues to have an ever-increasing influence on Chicago. On "Skinny Boy," the album's finale, Robert Lamm's rough vocal lead is complimented by the background of the Pointer Sisters. And throughout the album, it is evident that Chicago hasn't forsaken the bleak, big-jazz-band roots that nourished them during their musical adolescence in that Midwestern city whence they came. Lyrically, the songs here sound the same themes that have characterized "soul music," and the phrasing is consistent.

Mellotron and synthesizer are added for a fuller sound, and they add a more contemporary aura to the music. Lamm plays mellotron on several cuts, and David J. Wolinski handles the synthesizer, mellotron, and electric piano with a sophistication that makes you wonder, "Where'd he come from, and where's he been all this time?" Ranging from fast and

furious in the jazzy "Devil's Sweet" to the melodious background sound — a la the Moody Blues — in "Searching So Long," Wolinski is superb.

If you notice that the backing vocals on "Wish You Were Here" show more than a little Beach Boys influence, there is a perfectly valid explanation for it. Three of the Beach Boys — Al Jardine, Carl Wilson and Dennis Wilson — back up Peter Cetera's lead vocals. This particular song is one of the smoothest ones on the album, but Chicago never keeps to one tempo per song, and the faster passages along with a synthesizer and string backing round it into one dynamite piece.

Rarely will you find a group with as many good vocalists as Chicago has. Cetera does most of the singing, but he is more than ably abetted by Lamm, guitarist Terry Kath and trumpeter Lee Loughnane. Cetera sounds like he always has a cold, and though he gives the band its distinctive vocal sound, he can be boring at times. Loughnane's vocal part on "Song of the Evergreens" is every bit as good as Cetera's work and perhaps better.

Much of the first record of this two-record set is devoted to jazzy improvisations which are uncharacteristically loose and aimless. "Prelude to Aire" and

"Aire," for example, show that the band has a tendency to play individually and not as a team. One complaint I have developed about Chicago is that they toy with a musical theme, instead of running with it and deriving from it all possible impact. This album

doesn't entirely silence that

complaint.

On the whole, though, *Chicago VII* will surely give your sound system a workout. The engineering is superb, and is a credit to the material. All in all, the latest creation of these talented and eclectic musicians is a great listening experience.

—Bob Thompson

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Sports/Recruiting

USC to sign Truett

"South Carolina's got enough All-Americans..."

--Atlanta high school star Jackie Dorsey, as quoted in the Atlanta Journal

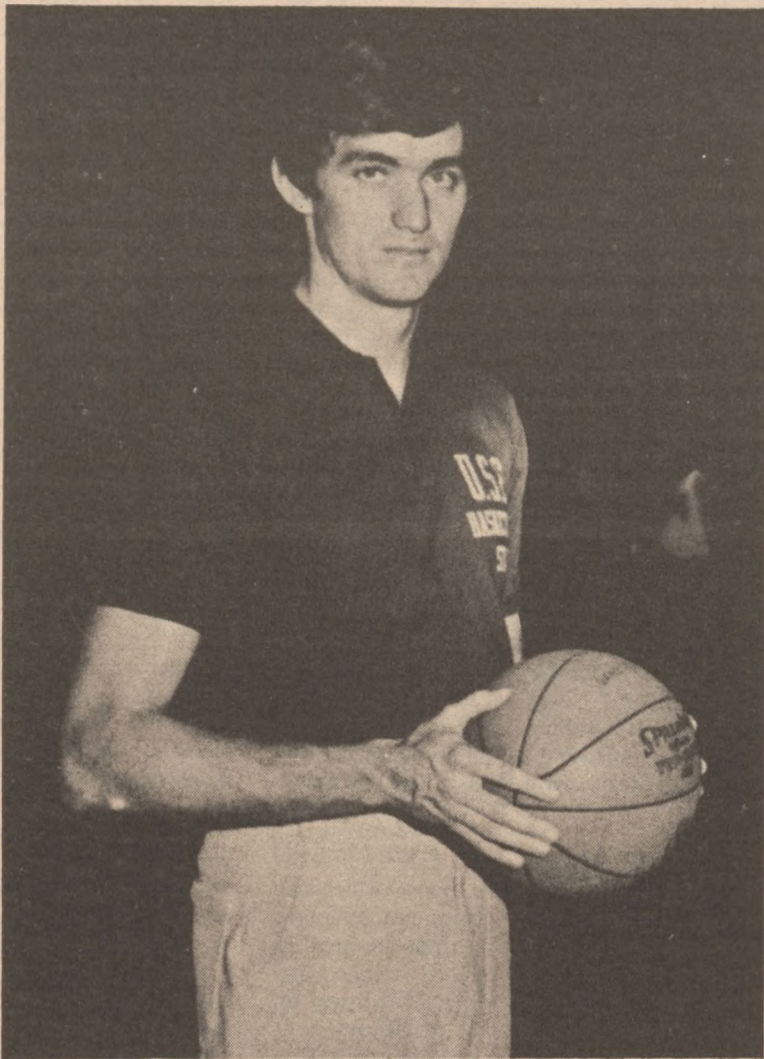
First, the good news.

Billy Truett, that 6-1 high-scoring guard from Buffalo's Baker-Victory High School (see *Osceola*, April 19 for a profile) will apparently be attending the University of South Carolina next fall. He's on the verge of signing a national letter of intent which would finalize it.

USC assistant basketball coach Bobby Cremmins, who handled the recruiting job on Truett, indicated this week that Truett will sign in the near future. "It looks good, we're going to sign him," Cremmins told *Osceola*. "We were looking for a couple of guards and we've gotten two of the finest ones available. We're extremely pleased."

Truett, who visited such diverse schools as Marquette, Tennessee and Oregon joins 6-1 Jack Gilloon of West New York, N.J. in the battle for the starting guard position in next year's USC lineup left vacant by the graduation of All-American Brian Winters. According to Cremmins, "We're just about through with all (the recruiting) we're going to do. We'd like to get a swingman, somebody who could play forward and guard, and we may sign someone else."

Earlier it was hinted that the coaching staff may be interested in 6-0 guard Bill Clarke of Archbishop Malloy High in New York City. But Cremmins' statement would seem to rule Clarke out of the picture, since the Gamecock's are looking for someone substantially bigger. If he doesn't attend USC, Clarke



Coach Bobby Cremmins

...It's going to be an enjoyable summer for Gamecock coaches and fans...

may be headed for St. John's.

The USC staff had also announced previously the signing of 6-7 frontcourtman Golie Augustus of Columbia's Keenan High, and if he, Truett and Gilloon constitute this year's freshman crop, then it would have to be considered a successful

spring of recruiting for Frank McGuire and his assistants. Some coaches spend their springs concentrating on rebuilding a team decimated by graduation. Others, like USC this spring, recruit for certain types of players (Gilloon the passer, Truett the shooter) to fill an inadequate

position in an otherwise strong returning lineup. With a wealth of talent returning from last year's impressive team, and with Gilloon, Truett, Augustus and transfer center Tom Boswell becoming eligible, it's going to be an enjoyable summer for Gamecock coaches and fans as they contemplate the possibilities of the coming season.

Now, for USC's bad news.

Second-year Georgia coach John Guthrie is one of those coaches who needed to replace his entire stock of basketball players, and he's done a good job of it without leaving his home state. Georgia was considered possibly the most richly-endowed recruiting area available this year, and with three exceptions, Guthrie has held his own against the invasion of the Big Ten and ACC recruiters. Clemson's Bates Locke recruited *Parade* Magazine high school athlete of the year Stan Rome out of Valdosta while Auburn got 6-8 Mike Mitchell in Atlanta and Macon's 6-7 Myles Patrick shortly before Guthrie began getting just about everyone else. First there was Anthony Flanagan and Charlie Dorsey out of Atlanta, a pair of dangerous guards. Then came the less-heralded Ken Boatwright of LaGrange. And last week, Guthrie made two more important signings. Jackie Dorsey, the muscular 6-7, 225-pound forward from Atlanta, narrowed his reported 450 options to Georgia, Auburn and USC. Surveying the talent available at USC and with the chance to start next year at Georgia, the *Parade* All-American selection chose the Bulldogs.

For good measure, Guthrie signed another *Parade* selection last week, 6-10 Lucius Foster who led Savannah to state 3-A championships in 1972 and '74. Foster is considered another in an increasingly long line of Georgia prep centers with college potential, following Furman's Moose Leonard and Clemson's Wayne Rollins in that respect. If he's as good as either of those two, Georgia could start five freshmen next year, and perhaps challenge for the Southeastern Conference championship by 1975. Altogether, Georgia's recruits averaged 125 points and 76 rebounds each game as high

school seniors.

Elsewhere, recruiting goes on as the battle for the high school prospects continues into the crucial month of May when many of the top players will be making their final decisions.

Notre Dame's Digger Phelps was in Columbia last week and he announced that his efforts to sign a high school center to replace the departed John Shumate have proven successful. Phelps signed 6-9 forward David Batton of Philadelphia, listed on practically every high school All-American team around. And he also signed guard Duck Williams of Washington, D.C. which should give the Irish great depth at that position. They already have Dwight Clay and Gary Brokaw --both two-year starters-- and last year's freshman, Ray Martin, who played well at times.

Meanwhile, up at Maryland, Lefty Driesell is enjoying another great recruiting year. Last week he enticed Buffalo prepster Chris Patton and had previously announced Pennsylvania's Brad Davis (brother of Milwaukee Buck swingman Mickey Davis), 6-6 forward Jon Newsome of Norfolk and 6-5 Mike Cherry of Elm City, N.C.

OTHER BASKETBALL NOTES: Those Georgia high school basketball stars will all be on display in one game when the Georgia Coaches Association game is played at Georgia Tech's Alexander Coliseum on Thursday, August 1. The two Dorseys, Flanagan, Mitchell and Boatwright will play for the North team, while Rome, Foster and Patrick will play for the South...Moses Malone, the best of all the high schoolers, continues to be the dominant player on the high school senior all-star game circuit. He scored 22 points, got 20 rebounds, and was voted Most Valuable Player Sunday night as the U.S. All-Stars lost to the Kentucky-Southern Indiana All-Stars, 89-91. Several stories on the games mentioned Malone's "awesome" dunking exhibition. Maryland and N.C. State are after the 6-10 ace... USC recruit Jack Gilloon will play in the Seamco Classic, a game pitting New Jersey All-Stars against New York All-Stars on May 26. We'll keep you informed on that one.

--Jim Walser

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Cinema/'Zardoz'

Lost in the funhouse

by Jerry McAninch

ZARDOZ

starring Sean Connery and Charlotte Rampling
directed by John Boorman
at the Miracle Theatre

Beyond 1984? Beyond 2001?

Contrary to the claims of its advertising/public relations effort, *Zardoz* proves that John Boorman (who directed *Deliverance*) is neither another Stanley Kubrick nor another George Orwell.

What is billed as "beyond 1984, beyond 2001," is so only because the film is arbitrarily set in 2293. It shows a world divided into the same old two parts -- the haves and the have nots -- but the divisions are sharper and technology has made the home of the "haves," or the "Eternals," virtually impregnable. As descendants of the best scientists of the late 20th century, the Eternals cannot die. Having no police or courts, they punish wrongdoers by sentencing them to a period of aging. Incurable troublemakers, "Renegades," are condemned to senility in a special corner of the home of the Eternals, the "Vortex." And in the third area of the Vortex are the "Apathetics," those who are so bored by the Eternals' idyllic, sexless paradise ("beyond erection") they have totally withdrawn into semi-catatonic states "with a disease," observes one Eternal, "that is slowly spreading throughout the Vortexes." (throughout the audience, too.)

The other half of the world is the "Outlands" where the "Brutals" live. Derived from the poorer, less educated classes of the 20th century, the Brutals are forever banned from the Vortex by an invisible barrier. They are lorded over by Zardoz, a wizard and a trickster who flies about in a great stone head and directs his chosen Brutals to act as "Exterminators." These Exterminators ride masked through the countryside like the mongol hordes, ruthlessly and indiscriminately mowing down other Brutals in Zardoz' simple plan for population control. But one Exterminator, Zed, played by a paunchy, balding Sean Connery (007, can this really be you?) decides to see what lies behind Zardoz' stone facade and to invade the realm of the Eternals.

The film tries to capitalize on Kubrick's audience from *2001* and *A Clockwork Orange*. Like them and like many films before Kubrick's, it plays both "futuristic" music (actually performed on such medieval instruments as gemshorns and sackbuts, shengs and psalteries, angklunds and crumhorns) and Beethoven. But the music in *Zardoz*, becomes reduced to little more than the standard movie background. Boorman seems incapable of using it with such masterly precision as Kubrick showed in *2001* when he used "The Blue Danube" waltz to suggest the lyrical grace of the wheeling spacestation, or when he used Richard Strauss's opening of "Thus Spake Zarathustra" to evoke the sense of intense drama and mystery in the face of the unknown. Nor does Boorman's music have any relevance to the plot as Beethoven's 9th had in *A Clockwork Orange*. Boorman simply seems to have decided that since Kubrick used music so



Connery in 'Zardoz': 007, is that you?

successfully - particularly classical, and particularly Beethoven - that he might as well throw in a Beethoven symphony, too. Of course, this is the way movieland operates. A brilliant and imaginative innovator such as Kubrick no sooner finishes doing something different that works wonderfully well than it is ripped off and repeated in endless variation ad nauseum by less imaginative filmmakers who wish to capitalize on its success.

An increasingly tedious film, *Zardoz* not only lifts its use of

music from Kubrick, it also picks up some of its visual tricks from earlier filmmakers who used them far more competently and successfully than Boorman does in *Zardoz*. As in Sergei Eisenstein's *October* or *Ten Days That Shook the World* statues that have been pulled down reassemble themselves as the film is run in reverse. But this is done with only a suggestion of *October's* visual power and the implications concerning the political events that made it so appropriate and effective an image in the

Eisenstein film -- that the Kerensky government was simply a reinstitution in another form of Czarism -- are largely missing in *Zardoz*. As in Orson Welles' *The Lady from Shanghai* a room of mirrors is used for a scene of entrapment. But whereas Welles makes it the symbol of all the phony facades with which the characters have fooled each other and us, as well as the scene for final revelation, a confrontation with the bitter truth and a dramatic murder, in *Zardoz*, though it is central to the story, it is witlessly used in an overlong sequence which finally loses any impact it might have had and instead, just becomes a huge bore.

Zardoz' p.r. persons choose to compare their film with *1984* and *2001* but *Zardoz* can only suffer by such a comparison. *Zardoz* has not *1984's* terrifying sense of an imminent totalitarianism hovering just around the corner (ever since Orwell's novel was published in 1948, cultural and political analysts periodically chart the ways in which the world does actually seem to be moving toward the era of Big Brother.) Nor does *Zardoz* present the very wonderful and amazing view of the future which we see in *2001* which successfully escapes that earthward gravitational pull that condemns most science fiction by dragging it down to a wasteland of unimaginative humanoid

melodramas. Instead, *2001* postulates an incomprehensible, mysterious and beautiful universe far beyond the scope of our little minds.

Zardoz' projected world wherein some people retreat into communes is a contemporary actuality. In fact, Boorman got his idea from visiting American communes. I do not quarrel with Boorman's having his communes rule the rest of mankind. Rather interesting idea. But though *Zardoz* starts with an interesting premise, it gradually becomes caught in the vortex of its own futuristic crystal land giving endless variation and reflections that get nowhere. Boorman loses control of his film, leaving his viewers for the last hour to be more and more confused about what is going on -- and to care less and less. "What next?" asks Friend, the Eternal. Who cares? As half a dozen apparent endings came and went before the actual one finally rolled around at last, I found myself envying the man behind me who snored loudly and with apparent satisfaction through the last half of the film.

Perhaps Boorman as writer, director and producer simply spread himself too thin. *Zardoz* says, "I have seen the future and it doesn't work." I have seen *Zardoz*, a film only an uncritical science fiction fan could love, and it doesn't work either.

EVENTS & entertainments

(Continued from page 16)

and Frank Converse. (Channel 10)

11:30 p.m.—Movie. "Machine Gun McCain" has John Cassavetes and his good pal Peter Falk starring in this gangster movie about Vegas. With Gena Rowlands and Britt Ekland. (Channel 19)

1 a.m.—Tomorrow. Studs Terkel, salty reporter and author of "Working", a book about workers talks with Tom Snyder. (Channel 10)

Thursday, May 9

11:30 p.m.—Special. "Play It Again, Bogie" is a special with old Bogart film clips, interviews with various Hollywoodites who knew him at one stage of his career or another, and Peter Lawford holding the whole thing together. A great nostalgia night. (Channel 25)

11:30 p.m.—Movie. "X The Unknown". English scientists find out that there's an alien force that feeds on the earth's energy. Blob, blob, who's got the blob? Starring John Hughes Cooper and Dean Jagger. (Channel 19)

Friday, May 10

9 a.m.—TIC meets Alice Fay Redd, one of the ten outstanding women in the U.S. (Channel 10)

11:30 p.m.—In Concert has the first of four programs called "California Jam". Featuring Emerson, Lake, & Palmer, Deep Purple, Seals and Crofts, Rare Earth, etc. (Channel 25)

11:30 p.m.—Movie. "The Brotherhood of Satan" is set in a Mexican community where diabolic forces wreak violence and murder. (Channel 19)

1 a.m.—Midnight Special features George Carlin, Buffy St. Marie, Waylon Jennings, Livingston Taylor, the Dramatics and Leo Sayer. (Channel 10)

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EVENTS & entertainments

Through May 10

Edited By Julie Britt Byrum

cinema

ATLANTIC I THEATRE, 3220 Two Notch Road, 786-0790

"Exorcism's Daughter." This one's just another B-movie trying to travel on the tail of a money-making idea. Shows are at 3:15, 5:15, 7:15, and 9:15 p.m.

ATLANTIC II THEATRE, 3220 Two Notch Road, 786-0790

"The Teaser." Oh, yes, she's here in the flesh, the torment of your sex-crazed adolescent years. Shows at 3:30 p.m. and continuous throughout the afternoon and far into the night.

CAROLINA THEATRE, 1223 Main Street, 252-8011

Bobby Redford and Paul "Big Blue" Newman are together again in this new run of "Butch Cassidy and the Sundance Kid." And there's Katharine Ross and beautiful scenery for those who require other things to catch the attention. Who does? Shows at 1, 3, 5, 7, and 9 p.m.

Late Show Friday and Saturday nights is "Fantastic Planet," a sci-fi cartoon. Shows at 11:30 p.m.

CINE-ART THEATRE, 1017 Washington Street, 779-3039

"The Curious Teenager" and "Wow, It's Cindy" are the biggies this week. Wow, it's dirty! Shows are continuous from 1 p.m. with the box office opening at 12:45 so that everyone can get a good seat. Coming: "High Rise" and a love stage show.

DUTCH SQUARE NORTH THEATRE, Dutch Square Mall, 798-1100

"The Adventures of Robin Hood" with Errol Flynn, that wicked-wicked boy of the '40s and '50s, and Olivia DeHavilland in the original swashbuckling steal - from - the - rich - and - give - to - the - poor story. With Basil Rathbone as the Sheriff of Nottingham. Note: If you're one of those people who has to have their flicks in technicolor, this's one's in aesthetic black and white. Shows at 1:10, 3, 4:50, 6:40, and 8:30 p.m.

DUTCH SQUARE SOUTH THEATRE, Dutch Square Mall, 798-1100

"The Sting" is back - hoping to pick up a few more shekels after sweeping the Oscars this year. With Hot Bob Redford, Robert Shaw, and Paul Newman. Shows at 1:45, 4:10, 6:35, and 9 p.m.

FOX THEATRE, 1607 Main Street, 254-5212

"The Exorcist" is still around. Lots of vomit, four-letter words, blood and gore, medical horrors, and a failing attempt at scaring people characterizes this less-than-perfect film. Still scaring people, however, is the \$3 admission price - wait around until it comes again. Shows at 1:30, 4, 6:30, and 9 p.m.

GAMECOCK I THEATRE, Parkland Shopping Center, Cayce, 796-0022

"The Three Musketeers" is raising fun out in Cayce this time around. If you haven't seen this comic pageant of old France, drag yourself over to see it. With Faye Dunaway, Charlton Heston, Michael York, Geraldine Chaplin, Richard Chamberlain, and Oliver Reed. Shows at 1, 3, 5, 7, and 9 p.m.

GAMECOCK II THEATRE, Parkland Shopping Center, Cayce, 796-0022

"The Sex Thief", an adult sex comedy, is trying out for the same audiences as "Le Sex Shop". Don't know how good it is yet, so proceed with caution. Rated X. Shows at 2, 3:50, 5:40, 7:30, and 9:20 p.m.

JEFFERSON SQUARE THEATRE, Jefferson Square, Downtown, 254-6731

"The Great Gatsby" is flawed, but still a beautiful production, featuring some mighty fine performances by Mia Farrow, Bruce Dern, Robert Redford, Scott Wilson, Karen Black, and especially Sam Waterston, who plays the narrator of the story, Nick Carraway. Beautiful is the word

for the sets - interior, and outdoor scenes, as well as the clothes, the cars, and the people. See it at 1, 3:40, 6:20, and 9 p.m.

MIRACLE THEATRE, 122 Main Street, 256-1050

"Zardoz" is a film about the future, more or less, with Sean Connery and Charlotte Rampling starring. See our review in this issue. Showtimes are 1:30, 3:20, 5:30, 7:30, and 9:30 p.m.

PALMETTO THEATRE, 1417 Main Street, 254-5800

Oh hell, not again. How can ABC Theatres do this to us? You guessed it, "Walking Tall" is back. If you see this one, you need help. For those who refuse to be warned, the shows are at 1, 3, 5, 7, and 9 p.m.

PLAZA III THEATRE, 1323 Main Street, 254-7960

"Road Movie" is an R-rated flick which I know nothing about. If you're interested, shows are at 1:05, 2:40, 4:15, 7:25, and 9 p.m.

Late Show Thursday, Friday, and Saturday nights at 11:30 feature Marilyn Chambers, the sweet little mother who decided that being a housewife on a box of Ivory soap just wasn't fulfilling enough. So, see her in "Together," rated X.

RICHLAND MALL THEATRE, Richland Mall Shopping Center, 782-2228

"American Graffiti" is still hanging on for all the nostalgia freaks in town. Shows at 1, 3, 5, 7, and 9 p.m. "The Poseidon Adventure" starts May 10th.

art

A student art exhibition will be on display at Havens Gallery, 10 Diamond Lane in the St. Andrews area through May 11. The exhibition is free of charge and open to the public.

Spring Sidewalk Art Show will be held at Boardwalk Plaza near Dutch Square on May 17 and 18. All participating artists in the Dutch Fork Art Association will be eligible to show their work in this exhibition. Artists wishing to join the Association at this time should call Mrs. Gordon Beaver at 772-0553 for details.

Bruce Milletto: One Man Show will be on exhibition in Clemson's College of Architecture's Lee Hall Gallery now through May 31. Milletto is an artist-in-residence with the South Carolina Arts Commission's ARTS program.

Gloria Boles' paintings and drawings are on view for a limited time at the USC Art School's Huntington Gallery. Beautiful work...it can be seen at Sloan College on Pickens Street on the USC campus.

"An Executive Collects" featuring paintings, sculpture, and graphics will be on view at the Columbia Museum of Art May 10 through June 2. The collection ranges from French Impressionism through 1974's contemporary art styles. The show will also introduce five new gifts to the Museum's permanent collection. The Museum will sponsor an open evening to premiere this new collection at 8:30 on Thursday, May 9, which will be open to the general public.

Also beginning May 10, and running through June 16, will be an exhibit of the graphics of Henri Toulouse-Latrec, including the artist's posters for Le Moulin Rouge and other Parisian gathering places.

theatre

Workshop Theatre will present one of the Oscar Wilde, the wild man's, plays beginning May 7 and running through May 18 with the chance for holdover performances if the house is full enough, and with the kind of performers they have assembled, it's a sure bet. The Ideal Husband is an English comedy of manners about marriage, British politics, and extramarital intrigues during the Victorian

era, as viewed by the sardonic evil eye of Wilde. Appearing in the production, which is directed by Malie Bruton, are veteran Columbia performers Hal Buckley, Mary Arnold Garvin, Cynthia Gilliam, Stuart Browne, Joe Dillard, Amanda Graham and Winifred Orr. Reservations can be made by calling the theatre box office between noon and 6 p.m. at 252-5756.

Town Theatre gets into the musical act with I Do, I Do, a two-character musical play based on the '50s film with Rex Harrison called "The Four Poster," about the successful marriage of a couple, from their wedding night until death. The play is directed by Joseph Ridolfo and stars Lanny Palmer and Thom Jones, both excellent singers. The play will run through May 12. Call the theatre box office at 254-7227 for ticket and performance details.

music

Terry Rosen is now appearing every afternoon at the Lobby Restaurant on the corner of Main and Gervais Streets in the basement of the Columbia Building.

Poverty is playing on Friday and Saturday nights at the Ale House at 3137 Beltline Boulevard. Julia also does her things as an extra added excitement.

Jim and Lee, an up and coming musical duo, are performing every Monday night at the Scarlet Pumpernickel in Downunder Columbia. We heard these guys playing at Fiesta '74 Saturday, and their blend of voice, guitar, and harmonica make them sure winners.

Seals and Croft will be in performance at Carolina Coliseum on Friday, May 10 at 8 p.m. Tickets are \$4, \$5, and \$6 and may be purchased at the Coliseum box office and all other Coliseum ticket offices.

specials

The Mosob Dance Group of the Mosob Walk-In Drug Center will present "Joy", a dance review and fashion presentation at the Antisdel Chapel on the campus of Benedict College in Columbia at 7 p.m., May 4th. Refreshments will be served following the presentation.

A Bicycle Race, starting at the Cricket Club on Bluff Road will be held on May 12. Everyone's invited - rookie or professional.

The annual Statewide Poetry Festival will be held Thursday, May 16 beginning at 10:30 a.m. at Sesquicentennial State Park just outside of our fair city. All students and teachers in South Carolina are invited to attend - with no admission charge, a lovely outdoor setting and no formal dress required. Events will include attendance by all of the poets participating in the Poets-In-The-Schools program, music by classical guitarist Richard Phillips and folk singer Lee Knight, along with poetry readings and workshops. For further info, call Scott Sanders at the S.C. Arts Commission at 758-3442.

Don't forget about the new recycling center on the corner of Huger and Laurel Streets. Bring down all your recyclable paper and cardboard, tin, aluminum, and glass on Tuesday and Thursday afternoons from 3 to 6 p.m. and on Saturdays from 9 a.m. to 6 p.m.

television

Saturday, May 4

8:30 p.m.—Movie. "The Cat Creature." If you go in for weird amulets, Egyptian priests, - all linked to mysterious murders, this one's for you. That Scary One, John Carradine (Grasshopper Caine's father) stars with David Hedison and Meredith Baxter. (Channel 25)

9 p.m.—Movie. "You'll Like My Mother", a truly frightening movie about a

young pregnant widow visiting her mother-in-law for the first time, and finding out that she has her own set of strange plans for her unborn grandchild and his mother. Patty Duke and and Rosemary Murphy star. (Channel 10)

11 p.m.—Movie. "Teacher's Pet." Made in 1958, this film has a gruff city editor, played by Clark Gable, trying to get a journalism instructor, Doris Day, into his arms. With Gig Young, and Mamie Van Doren. (Channel 19)

12:15 a.m.—Don Kirshner's Rock Concert has Martha Reeves, Leo Kottke, Larry Raspberry and the Highsteppers appearing for music. Go on to sleep... (Channel 25)

1:30 a.m.—Movie. "The Legend of Custer". This one's taken from the defunct television series with Wayne Maunder as the Blond One. (Channel 10)

Sunday, May 5

8:30 p.m.—Movie. "Goldfinger" is back! We knew that 007 couldn't die, so Sean Connery comes back to find out what's happening to the gold drain. This one's a supermovie with Gert Frobe as Goldfinger and Shirley Eaton as the golden girl. And let's not forget Honor Blackmon as Pussy Galore. (Channel 25)

Monday, May 6

9 a.m.—Today in Carolina has Beryl and Joe speaking with psychologist Bob Mandel, Anne Agnew, retiring exec. direct. of the S.C. State Employees Association, and N. Welch Morrisette, a Republican candidate for the Lt. governor's position. (Channel 10)

8 p.m.—Special. "Alvin Ailey: Memories and Visions". Finally, those of us who can't make it up to N.Y. or D.C. can see this fantastic dance troupe in action. Beautiful, realistic dancing to the memories of a small town, poverty-stricken childhood in Texas comes alive with the grace of these elegant dancers. Featured is the star performer of the Dance Theatre, Judith Jameson performing "Cry," the history of the struggle of black women. (Channel 35, ETV)

9 p.m.—Movie. "The Kremlin Letter". A less-than-perfect spy film that still holds an audience's attention. With Richard Boone, Bibi Andersson and Max Von Sydow (Bergman's featured actors) along with Orson Welles, Patrick O'Neal and a huge cast of others. (Channel 25)

10:30 p.m.—Woman. Infant mortality in America is among the topics covered in the first of two shows on childbirth. Sandra Elkin is the moderator. (Channel 35)

11:45 p.m.—Movie. "The Spiral Staircase." This is the classic film of horror and suspense set in a New England village where a psychotic killer preys on young, physically handicapped women. With Dorothy McGuire, George Brent, and Ethel Barrymore. (Channel 25)

Tuesday, May 7

8:30 p.m.—Movie. "The Story of Pretty Boy Floyd" has Martin Sheen, who's fast becoming known as an accomplished actor, playing the infamous bank robber and killer. Floyd's real mother is featured in the prologue. Kim Darby stars as his wife, and it's worth seeing according to Judy Crist. (Channel 25)

11 p.m.—Day at Night. James Day talks with I.F. Stone about investigative journalism, politics and corruption in the government. Sounds pretty interesting... (Channel 35)

1 a.m.—Tomorrow has Big Tom discussing sexual attitudes with a mother and daughter. (Channel 10)

Wednesday, May 8

9 a.m.—TIC has Carroll Campbell, another Republican candidate for Lt. governor on for a chat. (Channel 10)

1:30 p.m.—Afternoon Playbreak features Lois Nettleton and Bradford Dillman in "Last Bride of Salem," where Lois plays a young mother struggling to protect her husband and child from possession by demonic forces. (Channel 25)

9:30 p.m.—Movie. "In Tandem" about the relationship between an old truck driver and a new one. With Claude Akins (he always plays the bad guy in westerns) (Continued on page 15)